THE SCOTS MAGAZINE.

MAY, 1774.

CONTENTS.

Memoirs of LEWIS XV. of France 225.
Lord CAMDEN on the Britiſh parliament's taxing America 229.
Gov. Hutchinſon on CALUMNY 231.
A TEA-DRINKING bon mot 232.
Lord CHESTERFIELD to his ſon 237.
The report concerning the GLENCO ſlaughter concluded 241.
AMERICAN PAPERS, &c. Gov. Hutchinſon to the Maſſachuſet's-bay aſſembly on correſpondence-committees 242. Anſwer by the Council ib. Remonſtrance for removing Chief Juſtice Oliver 244. The Governor's anſwer 245. Articles of impeachment againſt the Chief Juſtice ib. His letter to the Houſe of Repreſentatives 246. Refuſed to be received by the Governor 247. Complaint for the Governor's refuſing his aſſent to the grants to the province-agent ib. His Excellency's anſwer 248. The aſſembly diſſolved ib. Dr Franklin on what would pleaſe the Americans ib. Short pieces, ſome fiery, ſome cool, 250, 51.
A PRAYER, Prince Eugene's 251.
LITERARY PROPERTY. Lord Camden's ſpeech 233. The Lords Chancellor, Lyttelton, and Effingham, and the Biſhop of Carliſle 237. Deciſion ib.
NEW BOOKS, with remarks and extracts 252.
POETRY. Ode by Col. Pennington, at a dinner given to the ſoldiers 255. Portrait of Garrick ib. and of Cumberland ib. The ſelf-examination 256. The invitation ib. The birthday-ode ib.
HISTORICAL AFFAIRS. Foreign 257. &c.
—— England. Acts paſſed 265. Eaſt-India company on the capture of Tanjour 266. Edward I.'s tomb opened 268.
—— Scotland. Aſſembly-proceedings: Complaint againſt Mr Finlay 270. Proceedings upon it 270. 71, 2. The members abſent from Mr Thomſon's admiſſion rebuked 271. A petition from Dunfermline Relief congregation 272, 3. Settlements 273, 4. Overtures 275, 6. A collection for behoof of the ſociety for propagating Chriſtian knowledge 276. Reports concerning the ſtate of Popery ib. and the order of the Houſe 277.

Memoirs of the late King of France.

LEWIS XV. late King of France, &c. was born at Verſailles, Feb. 15. 1710, and was ſoon after created Duke of Anjou. His grandfather Lewis, Dauphin of France, (only ſon of Lewis XIV.), died of the ſmall-pox, at the age of 50, in 1711; as did his father, the Duke of Burgundy, and his elder brother, the Duke of Bretagne, in 1712: ſo that, on the death of Lewis XIV. Sept. 1. 1715, the Duke of Anjou was his only legitimate deſcendent, and as ſuch ſucceeded to the crown. His great-grandfather having, by his will, appointed a council of regency, of which the Duke of Orleans was at the head, the Duke of Maine being alſo made guardian, and Marſhal Villeroy Governor to the Infant King; as the Duke of Orleans, an enterpriſing man, thought the Duke of Maine's powers in the council too great, he, by fair promiſes, prevailed on the parliament of Paris to annul the will, and to declare him, who was next heir to the crown, ſole Regent.

For the tranſactions of his regency, his arbitrary proceedings with regard to the coin, the diſputes between the Jeſuits and Janſeniſts, the Miſſiſippi bubble, &c. not being perſonal to the late monarch, we ſhall refer to the hiſtories of the times, and proceed to the firſt marriage of the King, in 1721, to Maria Thereſa, Infanta of Spain, a child of three years of age. On Oct. 25. 1722,

he was conſecrated, and crowned at Rheims; and, in the ſpring of 1724, was declared, by the parliament, to be of full age: but, notwithſtanding this, he was, in fact, ſtill conſidered and treated as a minor.

Cardinal Du Bois, a monſter of wickedneſs, whom the Regent had declared prime miniſter, dying Aug. 10 the Regent thought it moſt ſafe to act as miniſter himſelf; but he died Dec. 2. following. The Duke of Bourbon, a prince of the blood, ſucceeded him; and as all ranks of people lamented the infancy of their Queen, this miniſter adviſed the King to ſend back the Infanta, and to marry Maria Leczinſki, daughter of King Staniſlaus of Poland, a princeſs diſtinguiſhed for her piety and virtue. This marriage was ſolemnized at Fontainebleau, Sept. 5. 1725. The counſel given her on that occaſion, by her excellent father, was publiſhed at that time, and is ſtill well known. Soon after, the hardſhips of the people ſtill continuing, by the reduction of the coin, many acts of violence were committed; and the religious perſecutions ariſing from the repeal of the bull *Unigenitus*, alſo raged, the court determining to enforce the acceptance of it. In 1726, the King augmented his army, and, by the influence of the Spaniſh party, diſmiſſed the Duke of Bourbon, and appointed Cardinal Fleury prime miniſter. He had been preceptor to the King, and, by his ſmooth addreſs, had gained an entire aſcendency over him. The characteriſtic of this prelate was moderation; *peace*, as Pope ſays, *was his dear delight*; and "all his meaſures," ſays Voltaire, "from 1726 to 1742, proved ſucceſsful." On Aug. 17. 1727, Te Deum was ſung at Paris for the birth of two princeſſes, which was a great diſappointment to the nation. The ſame diſappointment happened the next year by the birth of another princeſs; when the Queen underwent a ſolemn but ridiculous proceſſion to the church of Notre Dame, to pray that ſhe might be impregnated with a ſon. About this time the King was ſuppoſed to have the ſmall-pox; but there is now no doubt that it was the chicken-pox. At length, in 1729, the Queen was delivered of a Dauphin.

The ſeveral treaties and negotiations of this reign we ſhall avoid diſcuſſing, and alſo the wars in which this prince was engaged, any farther than he had a perſonal concern in them; obſerving only, that the re-union of Lorrain to the crown, which was the conſequence of the war of 1733, was ſucceſsfully negotiated by Cardinal Fleury. In 1740, the King publiſhed an edict for raiſing the tenth penny on lands, which, notwithſtanding their remonſtrances, and even tears, he obliged his parliament to regiſter. This, however, he was at length reduced to ſuppreſs, and, inſtead of it, to ſubſtitute the twentieth penny. A ſecond and a third twentieth have ſince been added to the firſt, which make pretty near the eighth penny. A fourth twentieth would be equal to our four ſhillings in the pound land-tax. Cardinal Fleury died in 1742, aged 90. The King was preſent at his laſt moments, and wept over him.

In 1744, the young Pretender had a private audience of Lewis, in which, it is ſuppoſed, an invaſion of England was projected, which was afterwards unſucceſsfully attempted, by Count Saxe, from Dunkirk. That ſummer, the King in perſon made the campaign in Flanders, where, after taking Courtray, Menin, Ypres, &c. all barrier-towns, ill defended by the Dutch, he made a triumphant entry into Dunkirk, June 29. attended by all the ladies of his court. But the courſe of his conqueſts (or rather thoſe of his great general Marſhal Saxe) was interrupted by the advice which he there received of the paſſage of the Rhine, and the invaſion of Alſace, by Prince Charles of Lorrain. Upon this, he drew off his troops from the Netherlands, and he himſelf, then in the height of his glory, reſolved to take the command of them. The ſufferings and complaints of his ſubjects were then for a time abſorbed in the praiſes of Lewis *the Well-beloved*, a title which French adulation had long beſtowed on this prince, though, indeed, it was given him early in life, when his natural diſpoſition ſeemed to promiſe more amiable effects; and, had he been untainted by courts, and unſeduced by thoſe who were intereſted in corrupting him, he might, perhaps, have preſerved his integrity, and been juſtly beloved in any ſtation leſs than royal. As it was, he fell a prey to the ſnares which too eaſily beſet him, and, in the joys of ſenſuality, too often forgot the king, the man, and the huſband.

But, to return: — No ſooner was he arrived at Metz, in his way to Alſace, than

than he was ſeized (Aug. 8.) with a malignant fever, which threatened his life; the conſequence, it is ſaid, of his having expoſed himſelf, in his march, to the ſcorching heat of the ſun. His Queen and family immediately haſtened from Verſailles, to pay him their laſt duties. He appeared ſo penitent, that he diſmiſſed his ladies, and ſeriouſly prepared for death; when his diſtemper taking a new turn, he recovered, to the extreme joy of his ſubjects; which. Voltaire, in his *War of* 1741, has painted as extravagantly as it was felt. Among other inſtances of his fortitude and ſenſibility, he ſays, that the King ordered Count d'Argenſon to tell Marſhal Noailles, (who oppoſed Prince Charles on the Rhine), that, "while Lewis XIII. was carrying to the grave, the Prince of Condé gained a victory:" and that, on his recovery, hearing of the tranſports of joy that had ſucceeded to the emotions of ſorrow, he raiſed himſelf up in his bed, and ſaid, "Oh! what a pleaſure it is to be thus beloved, and what have I done to deſerve it?" But *the devil was ſick*, &c. The King recovered, and his ladies returned. He cloſed the campaign with the ſiege of Friburg, in Brifgau, which held out till Nov. 6. diſregarding the advice of his phyſicians not to hazard his health again in that wet ſeaſon and unwholeſome climate. The Prince of Soubiſe being wounded at the ſiege, the King viſited him often, and ſaw his wounds dreſſed. Lewis, at his return, remained three days at Paris, to ſhew himſelf to his people, and dined in the town-houſe, where he was ſerved at table, as uſual, by the provoſt of the merchants, as was the Dauphin by the firſt *echevin*, or ſheriff.

In the next campaign, the King again took the field, and, with the Dauphin, (who had been married in February to the ſecond Infanta of Spain *), joined his army a few days before the battle of Fontenoy: for, receiving a courier at Douay, from Marſhal Saxe, with advice that the enemy's army was approaching, "Gentlemen," ſaid the King to his aides-de-camp and officers, "there ſhall be no time loſt; I ſet out to-morrow morning at five; but do not diſturb the Dauphin." And, though he was certainly ſtationed at a ſafe diſtance during the engagement, M. de Voltaire has related ſome inſtances of his proweſs, which we ſhall give without a comment. Diſcourſing, the evening before, on the battles at which the Kings of France had been preſent, the King ſaid, that "ſince the battle of Poictiers, there had not been any King of France, who had had his ſon with him in an engagement; that none of them had ever gained a ſignal victory over the Engliſh; and that he hoped to be the firſt." On the day of the battle, he waked the firſt, and awakened his ſecretary at war, Count d'Argenſon. He and the Dauphin paſſed the bridge of Calonne, and took poſt beyond the place called *the Juſtice of our Lady in the Wood*. Being covered with dirt from the rebounding of a ball, "Send theſe balls," ſaid he, "back to the enemy, I will have nothing belonging to them." At one time, ſuch was the impreſſion made by the Engliſh, that Marſhal Saxe intreated the King to repaſs the bridge. But, at length, the day was won, and, in conſequence, Tournay, with all the Auſtrian Netherlands, and Dutch Brabant, fell into the hands of the French. M. de Voltaire blew his epic trumpet on this occaſion, in a poem dedicated to the King, ſtyling it "the moſt glorious battle that had been fought ſince that of Bouvines." Lewis took the field alſo in the campaign of 1747; and, after the battle of Val, in which Sir John Ligonier was taken priſoner, concerted, it is ſaid, with that General, the plan of the ſucceeding peace, which was concluded, in 1748, at Aix-la-Chapelle.

The diſputes between the parliament and clergy, particularly the Archbiſhop of Paris, then breaking out afreſh, on the ſubject of the bull *Unigenitus*, the King, joining with the latter, baniſhed the parliament of Paris to Pontoiſe, ſix leagues diſtant; and afterwards, to hold the balance even, he baniſhed the Archbiſhop, and the Biſhops of Orleans and Troyes, to their country-ſeats, for perſiſting in their ſchiſm. About the ſame time he founded the military ſchool, the nobleſt monument of his reign; which

* — his great ſon, by love of glory led,
For tented fields forſakes the nuptial bed.
VOLTAIRE.

This amiable princeſs, Maria Thereſa, dying in child-bed, in 1746, a few days after her father Philip II. the Dauphin married, ſecondly, the Princeſs Maria Joſepha of Poland (ſince alſo dead), by whom he had iſſue the preſent King, Lewis XVI. (born 1754), the Counts of Provence and Artois, and two daughters. All theſe young princes are married, but have yet no iſſue.

the Empreſs-Queen has ſince imitated.

Amidſt theſe commotions at home and abroad, another burdenſome war having juſt broken out with England, after the King had ſuppreſſed two chambers of the parliament, and moſt of the members had reſigned their places, all France was involved in a general conſternation, by a horrid attempt on the King's life, by Robert Francis Damiens, a religious enthuſiaſt, Jan. 5. 1757, as his Majeſty was going to his coach at Verſailles, in preſence of his ſon, and ſurrounded by his guards. The penknife entered under the fifth rib. The King, finding himſelf wounded, turned round, and ſeeing a ſtranger ſtanding cloſe by him, with his hat on, and ſtaring wildly, cried out, "That is the man who has wounded me; ſecure him, but do him no hurt." The wound, however, was but ſlight. It appeared, on the criminal's examination, that the refuſal of the ſacraments, and the baniſhing of the parliament, had turned his brain, and, indeed, rendered him rather an object of compaſſion and impriſonment, than tortures; which, however, were moſt diabolically inflicted upon this wretched madman, as they had been on Clement and Ravaillac in France, and were, ſoon after, on aſſaſſins of much higher rank in Portugal.

Lewis, on his recovery, again baniſhed and recalled Archbiſhop Beaumont; and, while the war continued, internal peace ſeemed, for a time, reſtored. The diſgraces and loſſes ſuſtained by the French monarchy, during that war, are too recent to be mentioned. So reduced, in ſhort, were her finances, that the King retrenched his expences to thoſe of a private gentleman, by converting his plate into money, and urged all his ſubjects to do the ſame.

In December 1764, the parliament of Paris regiſtered an edict, by which the King diſſolved the ſociety of Jeſuits for ever. His only ſon, Lewis, Dauphin of France, died at Fontainebleau, Dec. 20. 1765, aged 36; as did the Queen, in June, 1768, aged 65. The regular ſucceſſion, and intrigues of his prime miniſters, viz. Marſhal Belleiſle, Cardinal de Bernis, the Dukes de Choiſeul and Aiguillon, &c. come not within our plan, any more than thoſe of his miſtreſſes, of whom we ſhall only ſay, that Madame de Pompadour (afterwards Marchioneſs), and Madame de Barré (now Counteſs), were the moſt diſtinguiſhed.

On Feb. 22. 1771, the King, wearied with their remonſtrances, took a reſolution to ſuppreſs and baniſh all his parliaments, at the inſtigation of his Chancellor, M. Maupeau; a more ſpirited and arbitrary ſtep than had been taken by any of his predeceſſors. All the princes of the blood, except the Count de la March, refuſing to attend at the bed of juſtice which the King held on that occaſion, were alſo baniſhed from his preſence and councils. The parliament of Paris was afterwards branched into ſix ſuperior courts, with local juriſdiction.

We haſten now to the laſt ſcene of this monarch's life, which was cloſed by the ſmall-pox, with which he was ſeized at Trianon, April 27. 1774, and for which, miſtaking it for a fever, his phyſicians blooded him twice, on the 29th, and the next day, when it appeared, applied bliſters to his legs. The day after his ſeizure, he deſired to be removed to Verſailles. During his illneſs, he made the following confeſſion to a neighbouring pariſh-prieſt, in preference to the Archbiſhop of Paris, and all his other prelates, which the ſaid curé immediately publiſhed in the chapel to the people: "The King, like another David, who implores the mercy of God, and the grace of penitence, orders me to tell his people, that he is ſorry for the offence which he has given them; he deſires only to live, that he may atone for his negligence, and to his people for the evil which he has done." Mr Sutton, the Engliſh inoculator, who happened to be then at Paris, offered to recover his Majeſty, by a remedy which he ſaid was infallible. But though he was preſented by a prince of the blood, and accompanied by the Engliſh ambaſſador, the phyſicians, on his refuſal to inform them of what the remedy conſiſted, would not agree to have it adminiſtered; alledging, that they had taken an oath to adminiſter no remedy to his Majeſty with which they were not perfectly acquainted. The King received extreme unction from the Biſhop of Senlis, his firſt chaplain, on the evening of May 9.; and, on May 10. 1774, at three in the afternoon, he expired, in the 64th year of his age, and 59th of his reign.

As ſoon as his Majeſty was given over, the four heralds of arms were ordered to wait in the antechamber next to his bedroom. Juſt as he was expiring they were introduced, and one placed at each corner of the bed. After the phyſicians attending

tending had declared he was dead, the two heralds on the right ſide of the bed, immediately proclaimed aloud, three diſtinct times, *Le Roi eſt mort;* "The King is dead." But as the King is ſuppoſed never to be dead in France, the two other on the left proclaimed in the ſame manner, *Vive le Roi Louis Seizieme.* "Long live King Lewis XVI." The friars of the royal monaſtery, near the Tuilleries, were then ſent for by the Great Almoner of France, to pray night and day by the body of the King, till it was removed to St Denis. Twenty-four hours after his deceaſe, the body was opened, the heart and bowels extracted, and waſhed in aromatic waters. After being embalmed, they were put into a box, and buried in a tomb at the *Val de grace*. The body was then carried to the Louvre in Paris, expoſed in ſtate, and remained there till all the pariſh-prieſts, monks, friars, &c. had been in proceſſion, and ſaid prayers. On the evening of the 12th, it was carried without ceremony to St Denis, as is cuſtomary for princes who die of the ſmall-pox. It was placed under a mauſoleum erected in the choir of the church, where it is to remain for forty days. During that time all the houſehold will be in waiting as if the King was alive: a table is ſerved twice a day, and when the dinner is ready, *Le Grand Maitre d'Hotel* will taſte the victuals, and then proceed to the choir of the church, and announce to his Majeſty that the table is ſerved; the Firſt Gentleman of the Chamber in waiting will anſwer, that his Majeſty has dined: the ſame ceremony is to be gone through at night for the ſupper. At the expiration of the forty days the ceremony of the burial will be performed, and a funeral-ſpeech pronounced: the tomb is then to be opened, and ſix *guards du corps* will take the body of Lewis XIV. who lies upon the firſt ſteps, and carry him down into the vault, and put the body of Lewis XV. in his place. The entrance is then ſhut up, and upon it is erected a new wooden mauſoleum, covered with a black velvet pall to the right hand of the altar.

His Majeſty's character, for which due allowance will be made, was thus drawn in the Paris gazette. "His reign will always be famous for a number of victories, for the acquiſition of Lorrain, the eſtabliſhment of the royal military ſchool, ſeveral buildings ſacred to religion, many public ſtructures, roads opened throughout the kingdom for the facility of commerce, in ſhort, for a diſtinguiſhed protection granted to the arts and ſciences. The great qualities of this monarch, the ſenſibility of his ſoul, his virtues, his tender attachment to his family, his moderation in his triumphs, his beneficence and affability to all who had the honour to ſerve or approach him, gained him all hearts, and made him ſurnamed Lewis *the Well-beloved;* a title which, by informing future ages of the love of his ſubjects, will teſtify how much he deſerved it."—Though in this, it muſt be owned, there is ſome truth; yet there is far from being the whole truth; as impartial hiſtorians, of every other nation at leaſt, muſt add, that, though Lewis XV. had ſome virtues, and gained ſome victories, he had alſo many vices, and ſuffered many defeats; though he acquired Lorrain, he loſt Canada; and ſuch were his oppreſſions and exactions, that, at length, though beloved at the beginning, he was hated towards the concluſion of his reign. The late Lord Corke found the virtue of loyalty, in 1754, much leſs among the peaſants than it was twenty years before: from adoring their monarch, they then thought it ſufficient to honour him*. In twenty ſucceeding years, this honour has ſunk into a kind of ſilent contempt.

His perſon, in his youth, was graceful and handſome.

His ſurviving iſſue are four daughters, all unmarried, viz. Meſdames Adelaide, born in 1732; Victoria, 1733; Sophia, 1734; and Louiſa, 1737. This laſt took the veil in a convent of Carmelite nuns in 1770. Madame Eliſabeth, who was married to the Infant Don Philip, late Duke of Parma, died ſome years ago. The iſſue of the late Dauphin has been mentioned in a note. *Gent. Mag.*

Lord Camden's ſpeech, on the declaratory bill of the ſovereignty of G. Britain over the colonies. [xxviii. 118.].

WHen I ſpoke laſt on this ſubject, I thought I had delivered my ſentiments ſo fully, and ſupported them with ſuch reaſons, and ſuch authorities, that I apprehended I ſhould be under no neceſſity of troubling your Lordſhips again: but I am now compelled to riſe up, and to beg your further indulgence. I find that I have been very injuriouſly treated; have been conſidered as the

* Letters from Italy, edit. 2. p. 10.

broacher

broacher of new-fangled doctrines, contrary to the laws of this kingdom, and subverfive of the rights of parliament. My Lords, this is a heavy charge, but more fo when made againft one ftationed as I am in both capacities, as Peer and Judge, the defender of the law and the conftitution. When I fpoke laft, I was indeed replied to, but not anfwered. In the intermediate time, many things have been faid. As I was not prefent, I muft now beg leave to anfwer fuch as have come to my knowledge. As the affair is of the utmoft importance, and in its confequences may involve the fate of kingdoms, I took the ftricteft review of my arguments; I re-examined all my authorities; fully determined, if I found myfelf miftaken, publicly to own my miftake, and give up my opinion: but my fearches have more and more convinced me, that the Britifh parliament have no right to tax the Americans. I fhall not, therefore, confider the declaratory bill now lying on your table: for to what purpofe, but lofs of time, to confider the particulars of this bill, the very exiftence of which is illegal, abfolutely illegal, contrary to the fundamental laws of nature, contrary to the fundamental laws of this conftitution? a conftitution grounded on the eternal and immutable laws of nature; a conftitution whofe foundation and centre is liberty, which fends liberty to every fubject that is or may happen to be within any part of its ample circumference. Nor, my Lords, is the doctrine new, it is as old as the conftitution; it grew up with it; indeed it is its fupport; taxation and repreſentation are inſeparably united; God hath joined them, no Britifh parliament can feparate them; to endeavour to do it is to ftab our very vitals. Nor is this the firft time this doctrine has been mentioned: feventy years ago, my Lords, a pamphlet was publifhed, recommending the levying a parliamentary tax on one of the colonies; this pamphlet was anfwered by two others, then much read; thefe totally deny the power of taxing the colonies; and why? becaufe the colonies had no repreſentatives in parliament to give conſent. No anfwer, public or private, was given to thefe pamphlets; no cenfure paſſed upon them; men were not ſtartled at the doctrine, as either new or illegal, or derogatory to the rights of parliament. I do not mention theſe pamphlets by way of authority, but to vindicate myſelf from the imputation of having firſt broached this doctrine.

My poſition is this—I repeat it—I will maintain it to my laſt hour—Taxation and repreſentation are inſeparable. This poſition is founded on the laws of nature; it is more, it is itſelf an eternal law of nature; for whatever is a man's own, is abſolutely his own; no man hath a right to take it from him without his conſent, either expreſſed by himſelf or repreſentative; whoever attempts to do it, attempts an injury; whoever does it, commits a robbery; he throws down and deſtroys the diſtinction between liberty and ſlavery. Taxation and repreſentation are coeval with and eſſential to this conſtitution. I wiſh the maxim of Machiavel was followed, that of examining a conſtitution, at certain periods, according to its firſt principles; this would correct abuſes and ſupply defects. I wiſh the times would bear it, and that mens minds were cool enough to enter upon ſuch a taſk, and that the repreſentative authority of this kingdom was more equally ſettled. I am ſure ſome hiſtories, of late publiſhed, have done great miſchief: to endeavour to fix the æra when the Houſe of Commons began in this kingdom, is a moſt pernicious and deſtructive attempt; to fix it in an Edward's or Henry's reign, is owing to the idle dreams of ſome whimſical ill-judging antiquarians. But, my Lords, this is a point too important to be left to ſuch wrong-headed people. When did the Houſe of Commons firſt begin? When, my Lords? It began with the conſtitution, it grew up with the conſtitution; there is not a blade of graſs growing in the moſt obſcure corner in this kingdom which is not, which was not ever repreſented ſince the conſtitution began; there is not a blade of graſs which, when taxed, was not taxed by the conſent of the proprietor.

There is a hiſtory written by one Carte, a hiſtory that moſt people now ſee thro'; and there is another favourite hiſtory, much read and admired. I will not name the author, your Lordſhips muſt know whom I mean, and you muſt know from whence he pilfered his notions concerning the firſt beginning of the Houſe of Commons. My Lords, I challenge any one to point out the time when any tax was laid upon any perſon by parliament, that perſon being unrepreſented

in

in parliament. The parliament laid a tax upon the palatinate of Chester, and ordered commissioners to collect it there, as commissioners were ordered to collect it in other counties; but the palatinate refused to comply; they addressed the King by petition, setting forth, that the English parliament had no right to tax them; that they had a parliament of their own; that they had always taxed themselves; and therefore desired the King to order his commissioners not to proceed [xxxi. 32.]. My Lords, the King received the petition; he did not declare them either seditious or rebellious, but allowed their plea, and they taxed themselves. Your Lordships may see both the petition and the King's answer in the records in the Tower. The clergy taxed themselves; when the parliament attempted to tax them, they stoutly refused; said they were not represented there; that they had a parliament of their own, which represented the clergy; that they would tax themselves; they did so. Much stress has been laid upon Wales, before it was united as it now is, as if the King, standing in the place of their former Princes of that country, raised money by his own authority: but the real fact is otherwise; for I find that, long before Wales was subdued, the northern counties of that principality had representatives and a parliament or assembly. As to Ireland, my Lords, before that kingdom had a parliament as it now has, if your Lordships will examine the old records, you will find, that, when a tax was to be laid on that country, the Irish sent over here representatives; and the same records will inform your Lordships what wages those representatives received from their constituents. In short, my Lords, from the whole of our history, from the earliest period, you will find, that taxation and representation were always united; so true are the words of that consummate reasoner and politician Mr Locke. I before alluded to his book; I have again consulted him; and, finding that he writes so applicably to the subject in hand, and so much in favour of my sentiments, I beg your Lordships leave to read a little of his book.—"The supreme power cannot take from any man any part of his property without his own consent;" and book 2. p. 136.—139. particularly 140.—Such are the words of this great man, and which are well worth your Lordships serious attention. His principles are drawn from the heart of our constitution, which he thoroughly understood, and will last as long as that shall last; and, to his immortal honour, I know not to what, under Providence, the revolution and all its happy effects are more owing than to the principles of government laid down by Mr Locke. For these reasons, my Lords, I can never give my assent to any bill for taxing the American colonies, while they remain unrepresented: for as to the distinction of a virtual representation, it is so absurd as not to deserve an answer; I therefore pass it over with contempt. The forefathers of the Americans did not leave their native country, and subject themselves to every danger and distress, to be reduced to a state of slavery: they did not give up their rights; they looked for protection, and not for chains, from their mother-country: by her they expected to be defended in the possession of their property, and not to be deprived of it; for, should the present power continue, there is nothing which they can call their own; or, to use the words of Mr Locke, "what property have they in that which another may by right take when he pleases to himself?"

SIR, *London, April* 1774.

ON men of virtue and sensibility the following thoughts on Calumny will make a just and proper impression; and even the most malignant, on a perusal, must feel a distressing consciousness of their own depravity.

Governor Hutchinson, like many of the greatest men of antiquity, and like many of the greatest moderns, has been most injuriously calumniated by those whom, through the course of a long life, he has most studiously endeavoured to serve. In these thoughts he expresses the feelings of an upright delicate mind, wounded by calumny, and at the same time he displays a resignation and fortitude becoming a man and a Christian.

SAGITTARIUS.

THOUGHTS on CALUMNY.

By GOVERNOR HUTCHINSON.

CAlumny may be defined a false, injurious detraction from the character of any person, either in speech or writing. The most abandoned and sordid minds have the least abhorrence of calumny.

lumny. He who is but moderately wicked, durſt not venture upon it; he who has but a ſpark of ingenuity in his temper, diſdains it. One aſked a Spartan, Whether his ſword was ſharp? He anſwered, "Sharper than calumny."

The calumniator is a general miſanthropiſt; he ſpares no age, order, nor ſex. He is a general calamity, and wants power, not will, to be the Phaeton of the world. He wiſhes the deſtruction of the human race, but the beſt and moſt uſeful men are his principal objects; for he that aims at the overthrow of a building, will bend his ſtrength againſt the pillars.

United meaſures for the public good give the calumniator nothing but torment, and he will ſtick at nothing to break the connection; — he cannot bear to ſee individuals happy; and, if he knows two of kindred ſouls, he is reſtleſs, until by ſecret arts, and inſinuations, he breaks the ſacred bands, and ſeparates Lælius from Scipio, Pylades from Oreſtes.

Calumny is one of thoſe evils, which, for reaſons infinitely wiſe, God has permitted in every age of the world; and the greateſt, the wiſeſt, the beſt of men, have ſuffered by calumny.

Moſes, though meek to a proverb, was calumniated by his own brother and ſiſter.

Socrates, among the Greeks, loſt his life by calumny.

Calumny baniſhed Rutilius from old Rome; and calumny depoſed Lord Somers, the greateſt, the beſt chancellor that had ever been in England.

I could fill a volume with a liſt of amiable characters which have been wounded by calumny. — Shall we then wonder if Calumny ſpits out his venom upon characters confined to the ſmall orb of a province or colony?

I have endeavoured to guard againſt the vice I am condemning. I have kept out of my own mind the reputed authors of the calumnies which have prevailed to ſo great a degree. I wiſh I could excite an abhorrence of the crime, and remorſe in the criminals.

If calumny be ſo pernicious to human ſociety, if it be a vice in its nature ſo deteſtable, why is it not every where ranked in the firſt claſs, and an adequate puniſhment provided by all legiſlatures? It has been ſeen in different lights by different ſtates, and in different ages. Among the Athenians, the calumniator was only ſubject to a pecuniary mulct.

The Romans branded him on the forehead.

In ſome of the preſent governments in Europe, calumny is a capital offence.

A delicate ſenſe of honour had made duelling as frequent as libelling and calumny; and the only way to prevent the former was effectually to ſuppreſs the latter.

In ſome other governments and their dependencies, calumny ſeems to be tolerated. Is it becauſe that it prevails like a torrent, and it would break thro' all banks made to ſtop it? or are the people leſs ſenſible of its ſtings, or have they more virtue to bear them? Poſſibly falſe notions of liberty may be the true cauſe.

In ſuch a government, how ſhall calumny be avoided? Where ſhall protection be found? Where ſhall the injured ſeek redreſs? If calumny may ſometimes loſe its force by being neglected, the calumniator generally diſcovers his malicious wicked intention, by innuendoes and words which need an interpreter. Avoid, therefore, applying the calumny to yourſelf, although you are ſure it was deſigned for you.

For protection, innocence, one would think, ſhould prove a complete coat of mail to reſiſt the darts of calumny. I remember a ſaying of Cicero, "As fire caſt into water is forthwith extinguiſhed, ſo is calumny when caſt upon a good life." I wiſh this had been as truly as it was elegantly ſaid.

Innocence oftentimes provokes envy, the parent of calumny; and the moſt perfect character is liable to wounds, the ſcars of which are never wholly effaced: even innocence will not wholly free a tender mind from a ſenſe of calumny. Patience muſt accompany innocence, and that which is inevitable, muſt be borne with tranquillity and fortitude.

A Bon Mot.

AT a tea-party, a few evenings ſince, where the company were warmly engaged in converſation, the lady of the houſe forgetting to put the tea into the pot, filled it with water, and poured it out; when a lady in company immediately informed her, "Perhaps, Madam, you think you have been making tea, but you have only been *making water*.

Arguments, &c. on literary property. [194.]

Lord Chief Baron Smythe and Lord Chief Juſtice De Grey gave their opinions on the 21ſt of February [192, 3.]. Next day, Feb. 22. the Lords reſumed the cauſe. -- Lord Camden ſpoke about an hour and a half. We give extracts from what has appeared as the ſubſtance of his Lordſhip's ſpeech, viz.

"After what the Lord Chief Juſtice De Grey yeſterday ſo ably enforced, there will be little occaſion for me to trouble your Lordſhips; nor will the preſent ſtate of my health, and the weakneſs of my voice, allow me to exert myſelf were I ever ſo much inclined; but the nature of my profeſſion, and the duty I owe to this Houſe, will not ſuffer me to remain ſilent, when ſo important a queſtion is to be determined.

The arguments attempted to be maintained on the ſide of the reſpondents, were founded on patents, privileges, Star-chamber decrees, and the by-laws of the ſtationers company; all of them the effects of the groſſeſt tyranny and uſurpation; the very laſt places in which I ſhould have dreamt of finding the leaſt trace of the common law of this kingdom: and yet, by a variety of ſubtle reaſoning and metaphyſical refinements, have they endeavoured to ſqueeze out the ſpirit of the common law from premiſes in which it could not poſſibly have exiſtence. They began with their pretended precedents and authorities, and they endeavoured to model theſe in ſuch a manner, as to extract from them ſomething like a common-law principle, upon which their argument might reſt. I ſhall invert the order, and firſt of all lay out of my way the whole bead-roll of citations and precedents which they have produced, that heterogeneous heap of rubbiſh, which is only calculated to confound your Lordſhips, and miſlead the argument.

After the firſt invention of printing, the art continued free for about fifty years. I mean to lay no ſtreſs upon this; I mention it only hiſtorically, not argumentatively; for as the uſe of it was little known, and not very extenſive, its want of importance might protect it from invaſion: but as ſoon as its effects in politics and religion were felt, all the crowned heads in Europe at once ſeized on it, and appropriated it to themſelves. Certain it is, that in England the crown claimed both the power of licenſing what ſhould be printed, and the monopoly of printing. Two licences were granted to thoſe who petitioned for them. An author not only was obliged to ſue for a licence to print at all, but he was alſo obliged to ſue for a ſecond licence that he might print his own works.

When the King had once claimed the right of printing, he ſecured that right by patents and by charters. Still further to ſecure his monopoly, he combined the printers, and formed them into a company, then called the *Stationers Company*, by whoſe laws, none but members could print any book at all. They aſſumed powers of ſeizure, confiſcation, and impriſonment, and the decrees of the Star-chamber confirmed their proceedings. Theſe tranſactions, I preſume, have no relation to the common law; and when they were eſtabliſhed, where could an author, independent of the company, print his works, or try his right to it? Who could make head againſt this arbitrary prerogative, which ſtifled and ſuppreſſed the common law of the land? Every man who printed a book, no matter how he obtained it, entered his name in their books, and became a member of their company: then he was complete owner of the book. *Owner* was the term applied to every holder of copies; and the word *author* does not occur once in all their entries. All ſocieties, good or bad, arbitrary or illegal, muſt have ſome laws to regulate them. The two ſole titles by which a man ſecured his right was the royal patent and the licence of the ſtationers company; I challenge any man alive to ſhew me any other right or title. Where is it to be found? Some of the learned judges ſay the words *or otherwiſe* in the ſtatute of Q. Anne relate to a prior common-law right? To what common-law right could theſe words refer? At all the periods I have mentioned, the common-law rights were held under the law of prerogative. It was the general opinion that there was no other right, and the corrupt judges of the times ſubmitted to the arbitrary law of prerogative. In the caſe of the ſtationers company againſt Seymour, all the judges declared that printing was under the direction of the crown, and that the court of king's-bench could ſeize all printers of news, true or falſe, lawful or illicit. But if it was made uſe of to protect authors, what was this

protection? A right derived under a by-law of a private company; a protection ſimilar to that which we give the Great Mogul; when we want any grant from him, we talk ſubmiſſively, and pay him homage, but it is to ſerve our own purpoſe, and to feaſt him with a ſhadow that we may attain the ſubſtance. In ſhort, the more your Lordſhips examine the matter, the more you will find that theſe rights are founded upon the charter of the ſtationers company and the royal prerogative. But what has this to do with the *common-law* right? for never, my Lords, forget the import of that term. Remember always that the common-law right now claimed at your bar is the right of a private man to print his works for ever, independent of the crown, the company, and all mankind.

In the year 1681, we find a by-law for the protection of their own company, and their copy-rights, which then conſiſted of all the literature of the kingdom; for they had contrived to get all the copies into their own hands. In a few years afterwards the Revolution was eſtabliſhed; then vaniſhed prerogative, then all the by-laws of the ſtationers company were at an end; every reſtraint fell from off the preſs, and the old common law of England walked at large. During the ſucceeding fourteen or ſixteen years, no action was brought, no injunction obtained, although no illegal force prevented it; a ſtrong proof, that at that time there was no idea of a common-law claim. So little did they then dream of eſtabliſhing a perpetuity in their copies, that the holders of them, finding no prerogative-ſecurity, no privilege, no licenſing act, no Star-chamber decree to protect their claim, in the year 1710 came up to parliament in the form of petitioners, with tears in their eyes, hopeleſs and forlorn; they brought with them their wives and children to excite compaſſion, and induce parliament to grant them a ſtatutory ſecurity. They obtained the act; and again and again fought for a further legiſlative ſecurity.

Thus, my Lords, ſtands the pretence on the ſcore of uſage, of which your Lordſhips have heard ſo much on one ſide the queſtion. I come now to conſider upon what foundation ſtand the prerogative-copies. And theſe were in fact caſes between co-patentees, (for I muſt conſider the ſtationers company itſelf as a patentee of the crown), and no authorſhip-right occurs here. The right in the crown is ſuppoſed to come either from purchaſe or contract; and our law argues from principles, caſes, and analogy; but not a word of this in the judgement of the court; but the arguments of counſel are adduced to prove the point. The argument of counſel is a ſorry kind of evidence indeed: in moſt caſes it would be very dangerous to rely on it, but here it is ſuch ſtuff as I am aſhamed to mention. You have them at length in Carter. Firſt it is put on the topic of prerogative, next of ownerſhip. 1. Henry VI. brought over the printers and their preſſes; *ergo*, ſays the counſel, he has an abſolute right to the whole art, and all that it can produce. 2. Printing belongs to no body, and what is no body's is of courſe the King's. 3. The King pays his judges, *ergo* he purchaſes this right for a valuable conſideration. 4. He paid for the tranſlation of the Bible; therefore, forſooth, he bought a right to ſell Bibles. Away with ſuch trifling! Mr Yorke put it on its true footing. Ought not the promulgation of your venerable codes of religion and of law to be intruſted to the executive power, that they may bear the higheſt mark of authenticity, and neither be impaired, or altered, or mutilated? Theſe printed acts are records themſelves, are evidence in a court of law, without recurring to the original parliamentary roll. Will you then give this hononrable right to your ſovereign as ſuch? or will you degrade him into a bookſeller? Indeed, had he no other title to this diſtinction, that could hardly be maintained.

But if this will not ſerve the purpoſe, recourſe is next had to injunctions; they, 'tis ſaid, have put the right out of doubt. All the injunction-caſes have been ably gone through. I ſhall only add, in general terms, that they can prove nothing: they are commonly obtained for the purpoſe of ſtaying waſte, and the prevention of irreparable damage. They muſt therefore in their nature be ſudden and ſummary, or the benefit of them would be loſt before they are obtained, and they are granted though the right is not clear, but doubtful. The queſtion, Whether I am tenant for life or in tail? Whether I can maintain my right againſt the deviſee or the heir at law? may be diſcuſſed afterwards at leiſure; but unleſs, upon ſhewing a reaſonable pretence of title, you in the mean time tie up the

ſpoiler's

ſpoiler's hands who is felling my timber, or ploughing my paſture, my remedy is gone, or comes too late to prevent the miſchief. What then if a thouſand injunctions had been granted, unleſs the Chancellor at the time he granted them had pronounced a ſolemn opinion, that they were grounded upon the common law? It would only come to this at laſt, that the right in queſtion was claimed on one ſide and denied on the other; therefore, till the matter was tried and determined, let the injunction go. Lord Hardwicke, after twenty years experience, in the laſt caſe of the kind that came before him, declared that the point had never yet been determined. Lord Northington granted them on the idea of a doubtful title; I continued the practice upon the ſame foundation; and ſo did the preſent Chancellor. Where then is the Chancellor who has declared *ex cathedra* that he had decided upon the common-law right? Let the deciſion be produced in direct terms. It is amazing that we ſhould have been ſo long amuſed with this kind of argument from ſuch vague authorities!

At length, my Lords, having removed every ſtumbling-block that oppoſed our progreſs to the pure ſource of common law; having cleared the way of all thoſe ſpurious, pretended authorities, which will not bear the teſt of a moment's ſerious examination; the queſtion begins to aſſume its natural ſhape: Here then I feel myſelf upon my own ground, and I challenge any man to produce any adjudication, a precedent, a caſe, or any thing like legal authority, on which this claim can be grounded. Does there a ſcintilla, a glimpſe, of common law appear under any of thoſe different heads I have mentioned, and which have been ſo often repeated to us? For my own part, I find nothing in the whole that favours of law, except the term itſelf, Literary *Property*. They have borrowed one ſingle word from the common law, and have raked into every ſtorehouſe of literary lumber to find out how to apply it to the ſubject, and to deduce ſome principles to which it may refer, and be governed by. And now what are they? What are the foundations of this claim in the Engliſh common law? Why, in the firſt place, ſay the reſpondents, every man has a right to his ideas. — Moſt certainly, every man who thinks has a right to his thoughts while they continue *his*. But here the queſtion again returns: When does he part with them? When do they become *publici juris?* While they are in his brain, no one indeed can purloin them: but what if he ſpeaks, and lets them fly out in private or public diſcourſe? Will he claim the breath, the air, the words in which his thoughts are clothed? Where does this fanciful property begin, or end, or continue? O! ſay they, the ideas are marked in black and white, on paper or parchment. — Now, then, we get at ſomething; and an action, I allow, will lie for ink and paper. But what ſays the common law about the incorporeal ideas? and where does it preſcribe a remedy for the recovery of them, independent of the materials to which they are affixed? I ſee nothing about the matter in all my books; nor, were I to admit ideas to be ever ſo diſtinguiſhable and definable, ſhould I infer they muſt be matters of private property, and objects of the common law.

But granting this general poſition, we get footing but upon one ſingle ſtep, and new doubts and difficulties ariſe whenever we attempt to proceed. Is this property deſcendible, transferrable, or aſſignable? When publiſhed, can the purchaſer lend his book to his friend? can he let it out for hire, as the circulating libraries do? can he enter it as common ſtock in a literary club, as is done in the country? (Every thing of this kind, in a degree, prejudices the author's ſale of the impreſſion). May he tranſcribe it for a charity? Then what part of the work is exempt from this deſultory claim? Does it lie in the ſentiments, the language and ſtyle, or the paper? If in the ſentiments or language, no one can tranſlate or abridge them. Locke's eſſay might perhaps be put into other expreſſions, or newly methodized, and all the original ſyſtem and ideas be retained. Theſe queſtions ſhew how the argument counteracts itſelf; how the ſubject of it ſhifts, and becomes public in one ſenſe, and private in another: and they are all new to the common law, which leaves us perfectly in the dark about their ſolution. And how are the judges, without a rule or guide, to determine them when they ariſe, whoſe books and ſtudies afford no more light upon the ſubject than the common underſtandings of the parties themſelves? What diverſity of judgements! what confuſion in opinion muſt they fall into! without a trace or line of

law to direct their determination! What a code of law yet remains for their ingenuity to furnish; and could they all agree in it, it would not be law at last, but legislation.

But it is said, that it would be contrary to the ideas of private justice, moral fitness, and public convenience, not to adopt this new system. But who has a right to decide these new cases, if there is no other rule to measure by but moral fitness and equitable right? Not the judges of the common law, I am sure. Their business is, to tell the suitor how the law stands, nor how it ought to be: otherwise each judge would have a distinct tribunal in his own breast, the decisions of which would be as irregular, and uncertain, and various, as the minds and tempers of mankind. As it is, we find they do not always agree: but what would it be, where the rule of right would always be the private opinion of the judge, as to the moral fitness and convenience of the claim? Caprice, self-interest, vanity, would by turns hold the scale of justice, and the law of property be indeed most vague and arbitrary. That excellent judge, Lord Chief Justice Lee, used always to ask the counsel, after his argument was over, "Have you any case?" I hope judges will always copy the example, and never pretend to decide upon a claim of property, without attending to the old black letter of our law, without founding their judgement upon some solid written authority, preserved in their books, or in judicial records. In this case I know there is none such to be produced.

With respect to inventors, I can see no real and capital difference between them and authors; their merit is equal, they are equally beneficial to society, or perhaps the inventor of some of those masterpieces of art which have been mentioned have there the advantage. All the judges who have been of a different opinion, conscious of the force of the objection from the similarity of the claim, have told your Lordships, they did not know but that an account would lie for the exclusive property in a machine at common law, and chose to resort to the patents. It is indeed extraordinary that they should think so, that a right that never was heard of could be supported by an action that never yet was brought. If there be such a right at common law, the crown is an usurper: but there is no such right at common law, which declares it a monopoly; no such action lies; resort must be had to the crown in all such cases.

If then there be no foundation of right for this perpetuity by the positive laws of the land, it will, I believe, find as little claim to encouragement upon public principles of sound policy, or good sense. If there be any thing in the world common to all mankind, science and learning are in their nature *publici juris*, and they ought to be as free and general as air or water. They forget their creator, as well as their fellow-creatures, who wish to monopolize his noblest gifts and greatest benefits. Why did we enter into society at all, but to enlighten one another's minds, and improve our faculties, for the common welfare of the species? Those great men, those favoured mortals, those sublime spirits, who share that ray of divinity which we call genius, are intrusted by Providence with the delegated power of imparting to their fellow-creatures that instruction which Heaven meant for universal benefit: they must not be niggards to the world, or hoard up for themselves the common stock. We know what was the punishment of him who hid his talent; and Providence has taken care that there shall not be wanting the noblest motives and incentives for men of genius to communicate to the world those truths and discoveries which are nothing if uncommunicated. Knowledge has no value or use for the solitary owner: to be enjoyed it must be communicated. *Scire tuum nihil est, nisi te scire hoc sciat alter.* Glory is the reward of science, and those who deserve it, scorn all meaner views. I speak not of the scribblers for bread, who teaze the press with their wretched productions; fourteen years is too long a privilege for their perishable train. It was not for gain that Bacon, Newton, Milton, Locke, instructed and delighted the world; it would be unworthy such men to traffick with a dirty bookseller for so much a sheet of letter-press. When the bookseller offered Milton 5*l.* for his Paradise Lost, he did not reject it, and commit his poem to the flames: nor did he accept the miserable pittance as the reward of his labour; he knew that the real price of his work was immortality, and that posterity would pay it. Some authors are as careless about profit as others are rapacious of it; and

and what a situation would the public be in with regard to literature, if there were no means of compelling a second impression of a useful work to be put forth, or wait till a wife or children are to be provided for by the sale of an edition? All our learning will be locked up in the hands of the Tonsons and the Lintots of the age, who will set what price upon it their avarice chuses to demand, till the public become as much their slaves, as their own hackney compilers are. Instead of salesmen, the booksellers of late years have forestalled the market, and become engrossers. If, therefore, the monopoly is sanctified by your Lordships judgement, exorbitant prices must be the consequence; for every valuable author will be as much monopolized by them as Shakespeare is at present, whose works, which he left carelessly behind him in town, when he retired from it, were surely given to the public if ever authors were; but two prompters or players behind the scenes laid hold of them, and the present proprietors pretend to derive that copy from them, for which the author himself never received a farthing.

I pass over the slimsy supposition of an implied contract between the bookseller who sells, and the public which buys the printed copy; it is a notion as unmeaning in itself as it is void of a legal foundation. This perpetuity now contended for is as odious and as selfish as any other, it deserves as much reprobation, and will become as intolerable. Knowledge and science are not things to be bound in such cobweb chains; when once the bird is out of the cage,—*volat irrevocabile*.—Ireland, Scotland, America, will afford her shelter; and what then becomes of your action?

His Lordship concluded with several observations on the statute of Q. Anne, in which he took notice that the old copies were intitled to twenty-one years, and the new ones but to fourteen; and said, that if the legislature had intended to make the right perpetual, they would have taken care that the remedy should be so too."

The Lord Chancellor spoke next, for an hour; entered very largely upon the several arguments; said he had searched several gentlemens libraries, and could entertain their Lordships for three hours longer if there were any occasion for it, but it being such a clear case, it would be needless. He said, as to the act of Q. Anne, it gave them a limited time, and no longer. He concluded by seconding Lord Camden's motion.

Lord Lyttelton next spoke for a short time; he declared that he thought the authors had a right to perpetuity.

The Bishop of Carlisle spoke next, and mentioned several points which he left for the determination of their Lordships.

Lord Effingham next spoke, and said a great deal in favour of the liberty of the press, and hoped that right would never be taken away in this once free country.

The question was then put, when the decree was reversed, without costs. So the English booksellers have no other security in future for any literary purchase they may make, but the statute 8° Ann. which secures to the author's assigns an exclusive property for fourteen years, to revert again to the author, and vest in him for fourteen years more.

Lord Chesterfield to his son. [180.]

LETTER VIII.

My dear little Boy, *Bath.*

If God gives you wit, which I am not sure that I wish you, unless he gives you at the same time, at least an equal portion of judgement, to keep it in good order, wear it like your sword in the scabbard, and do not brandish it to the terror of the whole company. If you have real wit, it will flow spontaneously, and you need not aim at it: for, in that case, the rule of the gospel is reversed; and it will prove, *Seek*, and you shall not find. Wit is a shining quality that every body admires; most people aim at it, all people fear it, and few love it, unless in themselves. A man must have a good share of wit himself to endure a great share in another. When wit exerts itself in satire, it is a most malignant distemper: wit, it is true, may be shown in satire; but satire does not constitute wit, as many imagine. A man of wit ought to find a thousand better occasions of showing it.

Abstain, therefore, most carefully from satire, which, though it fall on no particular person in company, and momentarily, from the malignancy of the human heart, pleases all; yet, upon reflection, it frightens all too. Every one thinks it may be his turn next, and will hate you for what he finds you could say of him, more than be obliged to you for what you

you do not ſay. Fear and hatred are next-door neighbours: the more wit you have, the more good-nature and politeneſs you muſt ſhow, to induce people to pardon your ſuperiority; for that is no eaſy matter. Learn to ſhrink yourſelf to the ſize of the company you are in. Take their tone, whatever it may be, and excel in it, if you can; but never pretend to give the tone. A fine converſation will no more bear a dictator, than a free government will.

The character of a man of wit is a ſhining one, that every man would have, if he could, though it is often attended with ſome inconveniences. The dulleſt alderman ever aims at it; cracks his dull joke, and thinks, or at leaſt hopes, that it is wit. But the denomination is always formidable, and very often ridiculous. Theſe *titular wits* have commonly much leſs wit than petulance and preſumption: they are at beſt the *rieurs de leur quartier*, in which narrow ſphere they are at once feared and admired.

You will perhaps aſk me, and juſtly, how, conſidering the deluſion of ſelf-love and vanity, from which no man living is abſolutely free, how you ſhall know, whether you have wit or not? To which the beſt anſwer I can give you is, Not to truſt to the voice of your own judgement, for it will deceive you; nor to your ears, which will always greedily receive flattery, if you are worth being flattered: but truſt only to your eyes, and read in the countenances of good company their approbation or diſlike of what you ſay. Obſerve carefully too, whether you are ſought for, ſolicited, and in a manner preſſed into good company. But even all this will not abſolutely aſcertain your wit; therefore do not, upon this encouragement, flaſh your wit in peoples faces *a ricochets*, in the ſhape of *bons mots*, epigrams, ſmart repartees.

Appear to have rather leſs than more wit than you really have. A wiſe man will live at leaſt as much within his wit as his income. Content yourſelf with good ſenſe and reaſon, which at the long-run are ever ſure to pleaſe every body who has either; if wit comes into the bargain, welcome it, but never invite it.

Bear this truth always in your mind, that you may be admired for your wit, if you have any; but that nothing but good ſenſe and good qualities can make you be beloved: they are ſubſtantial every-day's wear. Wit is for *le jour de gala*, where people go chiefly to be ſtared at.

P. S. I received your laſt letter, which is very well written. I ſhall ſee you next week, and bring you ſome pretty things from hence; becauſe I am told you are a very good boy, and have learned very well.

LETTER IX.

My dear little Boy, *Bath.*

THERE is a ſpecies of minor wit, which is much uſed, and much more abuſed; I mean raillery. It is a moſt miſchievous and dangerous weapon, when in unſkilful or clumſy hands; and it is much ſafer to let it quite alone than to play with it; and yet almoſt every body do play with it, though they ſee daily the quarrels and heart-burnings that it occaſions. In truth, it implies a ſuppoſed ſuperiority in the *railleur* to the *raillé*, which no man likes even the ſuſpicion of, in his own caſe, though it may divert him in other people.

An innocent *raillerie* is often inoffenſively begun, but very ſeldom inoffenſively ended; for that depends upon the *raillé*, who, if he cannot defend himſelf, will grow brutal; and, if he can, very poſſibly his *railleur* baffled becomes ſo. It is a ſort of trial of wit, in which no man can bear to have his inferiority made appear.

The character of a *railleur* is more generally feared, and more heartily hated, than any one. I know that in the world, the injuſtice of a bad man is ſooner forgiven, than the inſults of a witty one; the former only hurts one's liberty and property, but the letter hurts and mortifies that ſecret pride which no human breaſt is free from. I will allow that there is a ſort of raillery which may not only be inoffenſive, but even flattering; as when, by a genteel irony, you accuſe people of thoſe imperfections which they are moſt notoriouſly free from, and conſequently inſinuate that they poſſeſs the contrary virtues. You may ſafely call Ariſtides a knave, or a very handſome woman an ugly one. Take care, however, that neither the man's character, nor the lady's beauty, be in the leaſt doubtful. But this ſort of raillery requires a very light and ſteady hand to adminiſter it. A little too ſtrong, it may be miſtaken into an offence; and a little too ſmooth, it may be thought

a

a ſneer, which is a moſt odious thing.

There is another ſort, I will not call it wit, but merriment and buffoonry, which is *mimicry*. The moſt ſucceſsful mimic in the world is always the moſt abſurd fellow, and an ape is infinitely his ſuperior. His profeſſion is to imitate and ridicule thoſe natural defects and deformities for which no man is in the leaſt accountable, and, in the imitation of which, he makes himſelf, for the time, as diſagreeable and ſhocking as thoſe he mimics. But I will ſay no more of thoſe creatures, who only amuſe the loweſt rabble of mankind.

There is another ſort of human animals, called *wags*, whoſe profeſſion is to make the company laugh immoderately; and who always ſucceed, provided the company conſiſt of fools; but who are equally diſappointed in finding that they never can alter a muſcle in the face of a man of ſenſe. This is a moſt contemptible character, and never eſteemed even by thoſe who are ſilly enough to be diverted by them.

Be content for yourſelf with ſound good ſenſe, and good manners, and let wit be thrown into the bargain, where it is proper and inoffenſive. Good ſenſe will make you be eſteemed; good manners, beloved; wit gives a luſtre to both. In whatever company you happen to be, whatever pleaſures you are engaged in, though perhaps not of a very laudable kind, take care to preſerve a great perſonal dignity; I do not in the leaſt mean a pride of birth and rank, that would be too ſilly; but I mean a dignity of character. Let your moral character of honeſty and honour be unblemiſhed, and even unſuſpected. I have known ſome people dignify even their vices, firſt, by never boaſting of them; and, next, by not practiſing them in an illiberal and indecent manner. If they were addicted to women, they never degraded and dirtied themſelves in the company of infamous proſtitutes: if they loved drinking too well, they did not practiſe that beaſtly vice in beaſtly companies; but with thoſe whoſe good humour in ſome degree ſeemed to excuſe it, though nothing can juſtify it. When you ſee a drunken man, as probably you will ſee many, ſtudy him with attention, and aſk yourſelf ſoberly, whether you would, upon any account, be that beaſt, that diſgrace to human reaſon. The Lacedemonians very wiſely made their ſlaves drunk, to deter their children from being ſo: and with good effect; for no body ever yet heard of a Lacedemonian drunk.

LETTER X.

My dear little Boy, *Bath.*

If there is a lawful and proper object of raillery, it ſeems to be a coxcomb, as an uſurper of the common rights of mankind. But here ſome precautions are neceſſary. Some wit, and great preſumption, conſtitute a coxcomb; for a true coxcomb muſt have wit. The moſt conſummate coxcomb I ever knew, was a man of the moſt wit, but whoſe wit, boaſted with preſumption, made him too big for any company, where he always uſurped the ſeat of empire, and crowded out common ſenſe.

Raillery ſeems to be a proper rod for thoſe offenders. But great caution and ſkill are neceſſary in the uſe of it, or you may happen to catch a Tartar as they call it, and then the laughter will be againſt you. The beſt way with theſe people is to let them quite alone, and give them rope enough.

On the other hand, there are many, and perhaps more, who ſuffer from their timidity, and *mauvaiſe honte*, which ſink them infinitely below their level. Timidity is generally taken for ſtupidity; which, for the moſt part, it is not; but proceeds from a want of education in good company. Mr Addiſon was the moſt timid and aukward man I ever ſaw: and no wonder, for he had been wholly cloiſtered up in the cells of Oxford, till he was five-and-twenty years old. La Bruyere ſays, and there is a great deal of truth in it, *Qu'on ne vaut dans ce monde que ce que l'on veut valoir*; for, in this reſpect, mankind ſhew great indulgence, and value people at pretty near the price they ſet on themſelves, if it be not exorbitant.

I could wiſh you to have a cool intrepid aſſurance, with great ſeeming modeſty, never *demonte*, and never forward. Very aukward timid people, who have not been uſed to keep good company, are either ridiculouſly baſhful, or abſurdly impudent. I have known many a man impudent from ſhamefacedneſs, endeavouring to act a reaſonable aſſurance, and laſhing himſelf to what he imagined to be a proper and eaſy behaviour. A very timid baſhful man is annihilated in good company, eſpecially of his ſuperiors; he does not know what he ſays or does;

and

and it is a ridiculous agitation, both of body and mind. Avoid both extremes, and endeavour to poſſeſs yourſelf with coolneſs and ſteadineſs. Speak to the King with full as little concern, though with more reſpect, as you would to your equals. This is the diſtinguiſhing characteriſtic of a gentleman, and a man of the world.

The way to acquire this moſt neceſſary behaviour is, as I have told you befor, to keep company, whatever difficulty it may coſt you at firſt, with your ſuperiors, and with women of faſhion, inſtead of taking refuge, as too many young people do, in low or bad company, in order to avoid the reſtraint of good breeding. It is, I confeſs, a very difficult, not to ſay an impoſſible thing, for a young man, at his firſt appearance in the world, and unuſed to the ways and manners of it, not to be diſconcerted and embarraſſed, when he firſt enters what is called the beſt company. He ſees that they ſtare at him; and, if they happen to laugh, he is ſure that they laugh at him. This awkwardneſs is not to be blamed, as it often proceeds from laudable cauſes, from a modeſt diffidence of himſelf, and a conſciouſneſs of not yet knowing the modes and manners of good company. But let him perſevere with a becoming modeſty, and he will find that all people of good nature and good breeding will, at firſt, help him out, inſtead of laughing at him; and then a very little uſage of the world, and an attentive obſervation, will ſoon give him a proper knowledge of it.

It is the characteriſtic of low and bad company, which commonly conſiſts of wags and witlings, to laugh and diſconcert, and, as they call it, bamboozle a young fellow of ingenuous modeſty. You will tell me, perhaps, that, to do all this, one muſt have a good ſhare of vanity. I grant it; but the great point is, *Nequid nimis*; for I fear Monſieur de la Rochefoucault's maxim is too true, *Que la vertu n'iroit pas loin, ſi la vanité ne lui tenoit compagnie.* A man who deſpairs of pleaſing, will never pleaſe; a man that is ſure that he ſhall always pleaſe where-ever he goes, is a coxcomb; but the man who hopes and endeavours to pleaſe, will moſt infallibly pleaſe.

LETTER XI.

My dear little Boy, *Bath.*

THE egotiſm is the moſt uſual and favourite figure of moſt people's rhetoric, and which I hope you will never adopt, but, on the contrary, moſt ſcrupulouſly avoid. Nothing is more diſagreeable or irkſome to the company, than to hear a man either praiſing or condemning himſelf; for both proceed from the ſame motive, vanity. I would allow no man to ſpeak of himſelf, unleſs in a court of juſtice, in his own defence, or as a witneſs. Shall a man ſpeak in his own praiſe? No; the hero of his own little tale always puzzles and diſguſts the company, who do not know what to ſay, or how to look. Shall he blame himſelf? No; vanity is as much the motive of his condemnation as of his panegyric.

I have known many people take ſhame to themſelves, and, with a modeſt contrition, confeſs themſelves guilty of moſt of the cardinal virtues. They have ſuch a weakneſs in their nature, that they cannot help being too much moved with the misfortunes and miſeries of their fellow-creatures, which they feel perhaps more, but, at leaſt, as much as they do their own. Their generoſity, they are ſenſible, is imprudence; for they are apt to carry it too far, from the weak, the irreſiſtible beneficence of their nature. They are poſſibly too jealous of their honour, too iraſcible when they think it is touched; and this proceeds from their unhappy warm conſtitution, which makes them too ſenſible upon that point; and ſo on of all the virtues poſſibly. — A poor trick, and a wretched inſtance of human vanity, and what defeats its own purpoſe.

Do you be ſure never to ſpeak *of* yourſelf, *for* yourſelf, nor *againſt* yourſelf; but let your character ſpeak for you. Whatever *that* ſays will be believed; but whatever *you* ſay of it will not be believed, and only make you odious and ridiculous. Be conſtantly on your guard againſt the various ſnares and effects of vanity and ſelf-love: it is impoſſible to extinguiſh them; they are without exception in every human breaſt; and, in the preſent ſtate of nature, it is very right it ſhould be ſo. But endeavour to keep within due bounds, which is very poſſible. In this caſe, diſſimulation is meritorious, and the ſeeming modeſty of the hero or the patriot adorns their other virtues.

Vanity is the more odious and ſhocking to every body, becauſe every body without exception has vanity, and two

vanities

vanities can never love one another, any more than, according to the vulgar ſaying, two of a trade can. If you deſire to pleaſe men and women, addreſs yourſelf to their paſſions and weakneſſes; gain their hearts, and then let their reaſon do its worſt againſt you.

Edin. Mag.

Concluſion of the Glenco report. [176.]

And, upon the whole matter, it is the opinion of the Commiſſioners, *1ſt*, That it was a great wrong that Glenco's caſe, and diligence as to his taking the oath of allegiance, with Ardkinglaſs's certificate of his taking the oath of allegiance on the 6th of January 1692, and Col. Hill's letter to Ardkinglaſs, and Ardkinglaſs's letter to Colin Campbell ſheriff-clerk, for clearing Glenco's diligence and innocence, were not preſented to the Lords of his Majeſty's Privy Council, when they were ſent in to Edinburgh in the ſaid month of January; and that thoſe who adviſed the not preſenting thereof were in the wrong, and ſeem to have had a malicious deſign againſt Glenco: And that it was a further wrong, that the certificate as to Glenco's taking the oath of allegiance was delete and obliterate after it came to Edinburgh; and that being ſo obliterate, it ſhould neither have been preſented to, or taken in by the clerk of the council, without an expreſs warrant from the council. *2dly*, That it appears to have been known at London, and particularly to the Maſter of Stair, in the month of January 1692, that Glenco had taken the oath of allegiance, though after the day prefixed; for he ſaith, in his letter of the 30th of January to Sir Thomas Livingſton, as above remarked, "I am glad that Glenco came not in within the time preſcribed." *3dly*, That there was nothing in the King's inſtructions to warrant the committing of the foreſaid ſlaughter, even as to the thing itſelf, and far leſs as to the manner of it; ſeeing all his inſtructions do plainly import, that the moſt obſtinate of the rebels might be received into mercy, upon taking the oath of allegiance, though the day was long before elapſed; and that he ordered nothing concerning Glenco and his tribe; but that, if they could be well ſeparated from the reſt, it would be a proper vindication of the public juſtice to extirpate that ſet of thieves; which plainly intimates, that it was his Majeſty's mind, that they could not be ſeparated from the reſt of theſe rebels, unleſs they ſtill refuſed his mercy, by continuing in arms, and refuſing the allegiance; and that, even in that caſe, they were only to be proceeded againſt in the way of public juſtice, and no other way. *4thly*, That Secretary Stair's letters, eſpecially that of the 11th January 1692, in which he rejoices to hear that Glenco had not taken the oath, and that of the 16th of January, of the ſame date with the King's additional inſtructions, and that of the 30th of the ſame month, were no wiſe warranted by, but quite exceeded the King's foreſaid inſtructions; ſince the ſaid letters, without any inſinuation of any method to be taken that might well ſeparate the Glenco-men from the reſt, did, in place of preſcribing a vindication of public juſtice, order them to be cut off, and rooted out in earneſt, and to purpoſe, and that ſuddenly, and ſecretly, and quietly, and all on a ſudden; which are the expreſs terms of the ſaid letters; and, comparing them and the other letters with what enſued, appear to have been the only warrant and cauſe of their ſlaughter; which in effect was a barbarous murder, perpetrated by the perſons deponed againſt. And this is yet farther confirmed by two more of his letters, written to Col. Hill after the ſlaughter committed, viz. on the 5th March 1692, wherein, after having ſaid, that there was much talk at London, that the Glenco-men were murdered in their beds after they had taken the allegiance, he continues, "For the laſt I know nothing of it. I am ſure neither you, nor any body impowered to treat or give indemnity, did give Glenco the oath; and to take it from any body elſe, after the diet elapſed, did import nothing at all. All that I regret is, that any of the ſort got away; and there is a neceſſity to proſecute them to the utmoſt;" and another from the Hague, the laſt of April 1692, wherein he ſays, "For the people of Glenco, when you do your duty in a thing ſo neceſſary to rid the country of thieving, you need not trouble yourſelf to take the pains to vindicate yourſelf, by ſhewing all your orders, which are now put in the Paris gazette. When you do right, you need fear no body. All that can be ſaid is, that, in the execution, it was neither ſo full nor ſo fair as might have been."

And this, their humble opinion, the Commiſſioners, with all ſubmiſſion, return and lay before his Majeſty, in diſcharge of the foreſaid commiſſion.

[*Sic ſubſcribitur, as in next column.*]

Tweedle; *Annandale*, now Marquis of Annandale, and Preſident of the Privy Council; *Murray*, now Duke of Athol, and Lord Privy Seal; *Ja. Stewart*, her Majeſty's Advocate; *Adam Cockburn*, late Lord Treaſurer-depute; *W. Hamilton*, Lord Whitelaw, one of the Lords of Seſſion; *Ja. Ogilvie*, now *E.* of Seafield, and Lord High Chancellor; *A. Drummond*.

[We are not told at what time the additions were made to theſe ſubſcriptions. —— The *Monthly Reviewers*, who would diſcredit Dr Smollet's account of the maſſacre of Glenco [xx. 236.], may now give their opinion of it after peruſing this report. —— We give that of the *Edinburgh Reviewers* in their own words, from their review of Carſtares's State-papers, viz.

"The information the moſt important which this collection holds out to the reader, conſiſts in the exhibition it offers of the more immediate cauſes which produced the Union. This event, ſo fortunate for both kingdoms, but which the greateſt ſtateſmen had attempted in vain, a conſideration of the preſent papers would induce us to aſcribe to the following circumſtances: The factions in Scotland, which took their riſe at the revolution, and forced William to yield to thoſe violent meaſures which terminated *in the maſſacre of Glenco; the national diſguſt occaſioned by that infamous tranſaction, and by the arts employed firſt to ſtifle all inquiry concerning it, and afterwards to ſcreen its adviſers and perpetrators*; the mutual jealouſies and animoſities between the two nations, owing to the eſtabliſhment of the Scottiſh African company, and the Darien enterpriſe; the flame raiſed in Scotland by William's refuſing to aſſert the right of the Scots to Caledonia, in conſequence of the remonſtrances of England, Spain, and Holland; the effects of the Duke of Glouceſter's death, in adding fuel to that flame, by throwing open the ſucceſſion, and affording the Scots a favourable opportunity of aſſerting their independence; the violent oppoſition made by them to the nomination of the ſame ſucceſſor with England, unleſs under limitations inconſiſtent with monarchy. — Theſe circumſtances fully evinced the expediency of an union of the two kingdoms, and doubtleſs contributed in a powerful manner to produce it."]

American Papers, &c. [120.]

Extract from the ſpeech of Gov. Hutchinſon at the opening of the aſſembly of Maſſachuſet's-bay, Jan. 27. 1774.

The judicial proceedings of the Governor and Council as the ſupreme court of probate, and as the court for determining in caſes of marriage and divorce, having been impeded in many inſtances where the opinion of the Governor has been different from that of the majority of counſellors preſent, the Governor having always conſidered his conſent as neceſſary to every judicial act; in the year 1771, I ſtated the arguments as well againſt as for the claim of the Governor; and his Majeſty having been pleaſed to order the caſe thus ſtated to be laid before the Lords of his Majeſty's Moſt Honourable Privy Council, I am now able to inform you, that it has been ſignified to me to be his Majeſty's pleaſure, that I do acquieſce in the determination of the majority of counſellors preſent, voting as a court for proving wills and adminiſtration, and deciding controverſies concerning marriage and divorce, although I ſhould differ in opinion from that majority. This order more immediately reſpects the Council; nevertheleſs, the tender regard which his Majeſty has ſhewn for the intereſt and convenience of his ſubjects, in a conſtruction of the charter, different from what had been made by all his Governors ever ſince its firſt publication, make it proper for me to communicate the order to both Houſes.

I am required to ſignify to you his Majeſty's diſapprobation of the appointment of committees of correſpondence, in various inſtances, which ſit and act during the receſs of the general court by prorogation.

Extract from an addreſs delivered to the Governor, Feb. 1. by the Council.

Your Excellency is pleaſed to inform us, that you are "required to ſignify to the Houſes his Majeſty's diſapprobation of the appointment of committees of correſpondence, in various inſtances, which ſit and act during the receſs of the general court by prorogation." So far as this matter relates to the Board, it can relate to them only in the inſtance of correſpondence with Mr Agent Bollan: with whom, ſince they choſe him agent, they

they have divers times appointed a committee to correſpond during the receſs of the court.

As this is a matter of great importance, your Excellency will permit us to diſcuſs it with freedom. When Gov. Bernard was in the chair, he early diſcovered a diſpoſition to infringe on the rights of the Board; and this diſpoſition increaſed, till at length, regardleſs of the dignity of his ſtation, he deſcended to the moſt ungentlemanly treatment of them, when they either refuſed an acquieſcence with his unwarrantable meaſures, or endeavoured to ſupport their rights againſt his uſurpation. They had long apprehended, that beſides thoſe perſonal attacks in council, he had by his letters been miſrepreſenting them to his Majeſty's miniſters; but they had not full evidence of it till they received authenticated copies of ſome of his letters to Lord Hillſborough, in which they found themſelves perſonally abuſed, and all their rights and privileges in their public capacity, and their very exiſtence in that capacity, ſtruck at. Thoſe letters having been laid before parliament, unjuſtly procured a parliamentary cenſure of the council, and threats of further proceedings againſt them. Now though it had been uſual, in a regular ſtate of things, for an agent to be appointed with the concurrence of the three branches of the general court; yet when that ſtate became inverted, when the Governor was endeavouring to deſtroy the rights of the Council, when our conſtitutional rights in general were in danger, and no confidence could be placed in a Governor, the principle of ſelf-preſervation, and the right of defence, naturally inherent in man, both individually and ſocially conſidered, required and juſtified the two Houſes, jointly or ſeverally at their option, to chuſe an agent or agents for the defence of thoſe rights independent of the Governor. But it might fruſtrate the end of ſuch choice, if they had not the power of appointing a committee to correſpond with their agent when choſen: for although the Governor ſhould permit them to ſit till they had informed and inſtructed their agent in every thing at that time thought needful, yet after the fulleſt information and inſtructions at firſt given, many things would probably ariſe during the general court's receſs, (which by ſucceſſive prorogations the Governor could prolong), to make ſuch a correſpondence neceſſary. If then there be ſufficient reaſon for the appointing an agent independent of the Governor, (as it clearly appears to us there was, and ſtill continues to be), there muſt be ſufficient reaſon for the means neceſſary to effect the end of that appointment; among which means is the keeping up and maintaining with him a correſpondence, whereby he may be furniſhed from time to time, as he ſhall call for them, with all needful information and aſſiſtance; which in the receſs of the general court cannot be done but by a committee. Among thoſe means is alſo included a ſeaſonable and juſt compenſation for his ſervices.

On this occaſion your Excellency will permit us to expreſs our concern, that you were not pleaſed to give your aſſent to the firſt grant made to Mr Bollan for his ſervices ſince his being agent by appointment of the Council, when you were not under the obligation of an inſtruction forbidding you to give ſuch aſſent.

If the Council had had opportunity to ſtate the reaſon of that appointment, and thoſe reaſons had been permitted to accompany the repreſentation which procured that inſtruction, it is humbly apprehended they might have occaſioned an eſſential alteration in it, or wholly prevented it. But if the foregoing ſtate of facts ſhould come to his Majeſty's knowledge, we humbly truſt he will ſee ſufficient reaſon, and be graciouſly pleaſed, to revoke the ſaid inſtruction.

The procuring inſtructions that are to affect the rights of either Houſe, or in any other way injure the rights and intereſts of the province, without giving them a hearing, is a great grievance. In the law-courts, even in the ſmalleſt concerns, the parties may be heard before judgement; and the opportunity for it is founded in the higheſt reaſon and juſtice. Is there not equal reaſon and juſtice, that a whole province ſhould be heard on the firſt motion for, and through the proceſs of inſtructions that are to affect them in their greateſt intereſts? But in what inſtance of inſtructions thus affecting them have they been heard? — When your Excellency was ſtating the caſe of the Council's appointing a committee to correſpond with their agent, which has procured his Majeſty's diſapprobation of their conduct, did not juſtice require the communication of it to

the Council for their obſervations on it, that from both together (if it was needful any repreſentation ſhould have been made on that head) his Majeſty might have had the means of forming a true judgement concerning it? And does not juſtice require a ſimilar proceeding in all repreſentations, on which are to be grounded any inſtructions that ſhall tend to leſſen the rights of either Houſe, or any other way affect the intereſts of the province?

On this occaſion it is obvious to obſerve, that within theſe few years the miniſtry ſeem to have conſidered the Governors of this province, not as crown-officers with commiſſions under the great ſeal, but as officers within their department, and under their direction. This remarkably appeared in the adminiſtration of Gov. Bernard, who very probably was the means of it. For there is reaſon to ſuppoſe, and his letters ſhew it, that he laid a plan for depriving Americans in general, and this province in particular, of their liberties: and being a volunteer in the executing it, in order to ſecure himſelf, ſeems to have procured from the miniſter letters of inſtruction from time to time, as he had occaſion for them; whereby, without giving the province an opportunity of being heard, its rights, intereſts, and character, have been greatly injured. And as the ſame mode of proceeding has been continued, there is the ſame reaſon to complain of it. But it is humbly hoped, from the goodneſs and juſtice of his Majeſty, and the diſtinguiſhed virtues of the Earl of Dartmouth, (his Majeſty's miniſter for the American department), that this province will be made happy by the removal of all its grievances.

In the mean time the Board are affected with the deepeſt concern, that any part of their conduct ſhould be diſapproved by his Majeſty: but they humbly truſt, that when his Majeſty ſhall be informed of the reaſons on which it is grounded, it will notwithſtanding be the object of his gracious approbation.

From the Boſton gazette, Feb. 21.

Purport of a remonſtrance, addreſſed to the Governor and Council of Maſſachuſet's-bay, by the ſecretary of the province, in purſuance of an order of the Houſe of Repreſentatives, of Feb. 12.

"The Houſe of Repreſentatives beg leave to remonſtrate to your Excellency and Honours, That the Hon. Peter Oliver, Eſq; the Chief Juſtice of the Superior Court of Judicature, Court of Aſſize, and General Gaol-delivery, over the province, a court wholly erected and conſtituted by the Great and General Court or Aſſembly by a power granted to the ſaid General Court by the Royal Charter, declining any more to take and receive the grants of the ſaid General Aſſembly for his ſervices as Chief Juſtice of the ſaid Superior Court, hath accepted a ſalary granted to him by his Majeſty for his ſervices as aforeſaid, from July 5. 1772, to Jan. 5. 1774: and that the ſaid Peter Oliver, Eſq; Chief Juſtice of the ſaid Superior Court, hath plainly given this Houſe to underſtand, by a writing under his hand, his reſolution for the future to accept the ſalary for his ſervices as aforeſaid, which he affirms is granted to him by his Majeſty during his reſidence in the province as Chief Juſtice of ſaid Superior Court. Now this Houſe humbly conceive, that if his Majeſty had not been miſrepreſented by his miniſters and counſellors, touching the way and manner preſcribed by the royal charter for the ſupport of his government in this province, he would not have ordered ſuch ſalary to be made to the ſaid Peter Oliver, Eſq;—Nevertheleſs he the ſaid Peter Oliver, Eſq; from *his own* knowledge of the charter and conſtitution of the province, muſt have been aſſured, that by accepting and receiving the ſame, and reſolving to continue ſo to do, he hath therein done and reſolved to do, contrary to the uſage and cuſtom of the Juſtices of the ſaid Superior Court, ſince the erecting of ſaid court, invariably uſed and approved; contrary to the plain ſenſe and meaning of the ſaid charter, and againſt the known conſtitution of this province."

After caſting ſome further reflections on Mr Oliver's conduct, they conclude with praying, That the ſaid Peter Oliver, Eſq; may not be ſuffered any longer to ſit and act in his office of Chief Juſtice, but that he be removed without delay from the ſaid court.

On Monday following the two Houſes paſſed a reſolve for the adjournment of the Superior Court from the 15th inſtant, (being the day on which it was by law to be holden), to a further day; it being judged by the two Houſes altogether improper that the Chief Juſtice ſhould ſit and act under the preſent circumſtances, and

and uncertain what opinion or reſolution he might have formed on the matter. The reſolve was laid before the Governor: but his Excellency declining to give his aſſent thereto, the Superior Court was of courſe opened (the Chief Juſtice being abſent) and adjourned itſelf till to-morrow.

On Tueſday the Governor ſent a meſſage to the Houſe of Repreſentatives, of which the following are the moſt material paſſages.

"I think it proper to acquaint you, that his Majeſty having been pleaſed to direct warrants to be prepared for the payment of ſalaries to the Chief Juſtice and to the other Juſtices of the Superior Court, I received, as Governor of the province, the earlieſt notice of this declaration of his Majeſty's pleaſure, in order, as I conceive, that, as far as might appertain to me, I ſhould conform thereto.

If I ſhould comply with your requeſt, or take any ſteps in order to the removal of the Chief Juſtice from his place, merely for receiving what is thus granted him by the King, I ſhould make myſelf chargeable with counteracting his Majeſty, and endeavouring to defeat his royal intentions expreſsly ſignified to me, with a contempt of his royal authority, and with a breach of the truſt repoſed in me by my commiſſion, and I ſhould fear ſome mark of his royal diſpleaſure. I am therefore in duty to the King obliged to decline your requeſt.

I will by the firſt opportunity tranſmit a copy of your remonſtrance to be laid before the King, and I ſhall conform to ſuch further ſignification of his Majeſty's pleaſure as I may hereafter receive."

On Wedneſday the 16th, the Houſe ſent a meſſage to the Council-board, acquainting them with the foregoing proceedings, &c. that the ſaid Council-board might duly adviſe thereon, and act and determine as they ſhall think proper.

On Friday, the whole Houſe of Repreſentatives waited on the Governor, and delivered a petition to him, in which they pray, that his Excellency would take the advice of his Majeſty's Council on the above-mentioned petition and remonſtrance; and further repreſent, that his Excellency's determining on this matter by himſelf, would be to order and direct one of the moſt important affairs of this province without the advice and aſſiſtance of the Council, and contrary to the moſt evident deſign of the charter.

They conclude with aſſuring the Governor, that the continuance of the Chief Juſtice in his place will increaſe the uneaſineſs of the people without doors, and endanger the public tranquillity; and therefore intreat his Excellency immediately to take every ſtep for the removal of the Chief Juſtice from the Superior Court.

From the Boſton gazette, March 7.

This gazette contains articles of impeachment of high crimes and miſdemeanors, againſt Peter Oliver, Eſq; Chief Juſtice of the Superior Court of Judicature, &c. over the province of Maſſachuſet's-bay, by the Houſe of Repreſentatives in general court aſſembled, in their own name, and in the name of all the inhabitants of that province, Feb. 24. 1774.

The principal articles of impeachment were in ſubſtance as follows. "Whereas Peter Oliver, Eſq; Chief Juſtice of the Superior Court of Judicature over this province, a court wholly erected and conſtituted by the Great and General Court or Aſſembly by a power granted to the ſaid general court by a clauſe in the royal charter, well knowing the premiſſes, but not regarding the ſame, with deſign to ſubvert the conſtitution of this province as eſtabliſhed by royal charter, and to introduce into the ſaid court a partial, arbitrary, and corrupt adminiſtration of juſtice, declining to take and receive any more the grants of the General Aſſembly of this province, did, on or about the 10th day of January 1774, at Boſton, take and receive, and reſolve for the future to take and receive, from his Majeſty's miniſters and ſervants, a grant or ſalary for his ſervices as Chief Juſtice of the ſaid Superior Court, againſt his own knowledge of the ſaid charter, and of the way and manner preſcribed therein for the ſupport of his Majeſty's government in the province, and contrary to uninterrupted and approved uſage and cuſtom ſince the erecting and conſtituting of the ſaid court; and the ſaid Peter Oliver, Eſq; continues in his ſaid reſolution ſo to do, againſt the opinion and conduct of the other judges of the ſaid court, each of whom has declared reſpecting himſelf his reſolution to the contrary: And where-

as the unmerited ſum of 400l. Sterling granted by his Majeſty, and annually to be paid to the ſaid Peter Oliver, Eſq; for his ſervices as Chief Juſtice of the ſaid Superior Court, together with the hopes of its augmentation, if he is ſtill ſuffered to continue in the ſaid office, cannot fail to have the effect of a continual bribe in his judicial proceedings, and expoſe him to a violation of his oath; and by his accepting and receiving the ſaid ſum he hath betrayed the corruption and baſeneſs of his heart, and the ſordid luſt of covetouſneſs, in breach of his engagements to rely ſolely upon the grants of the General Aſſembly, neceſſarily implied and involved in his accepting the ſaid office: And the ſaid Peter Oliver, Eſq; did, on the 8th of February inſtant, cauſe to be delivered to this Houſe a writing under his own hand, dated Feb. 3. the purport of which was as follows:

"*May it pleaſe your Honours,*

In the year 1756 I was appointed as a Juſtice of the Superior Court, and accepted the office contrary to my own inclination, but by the perſuaſion of gentlemen who were then members of the General Aſſembly. In this office I have continued for above ſeventeen years; and I hope your Honours will excuſe me if I ſay, that I was never yet conſcious that I had ever been guilty of any violations of the laws of my country in a judicial capacity, but have always endeavoured to act with that fidelity required in ſo important a character; and with this ſentiment I doubt not of ever conſoling myſelf in the approbation of my own mind.

During theſe ſeventeen years I have annually felt the great inconveniencies of ſerving in my judicial office, by ſuffering in my private buſineſs, and not having a ſalary which would any wiſe ſupport my family, which was large, and I cannot charge myſelf with any degree of extravagance in the ſupport of it; and I wiſh I may not have been too parſimonious for the dignity of the province, in my judicial character.

I can with the ſtricteſt truth aſſert, that I have ſuffered, ſince I have been upon the bench of the ſuperior court, in the loſs of my buſineſs, and not having ſufficient to maintain my family from my ſalaries, above 3000l. Sterling! I have repeatedly thrown myſelf on former Aſſemblies for relief, but never have obtained any redreſs: I have repeatedly attempted to reſign my office, but have been diſſuaded from it, by reſpectable gentlemen of former Aſſemblies, who encouraged me with hopes of ſupport, but I never received any relief in that way.

When his Majeſty, of his great goodneſs and favour, granted me a ſalary, (as he did to ſeveral others on the continent in my ſtation), it was without any application of mine; and when it was granted, I thought it my incumbent duty, from the reſpect and gratitude which I owed to his Majeſty, from a ſenſe of that fidelity which I owed to my country, by being enabled to diſcharge the duty of my office in being leſs embarraſſed in my mind whilſt in the execution of it, and being more at liberty to qualify myſelf for the duties of it in vacation time, as alſo from a principle of juſtice due to my family and to others: on theſe accounts, and not from any avaricious views, I was obliged to take his Majeſty's grant from the 5th of July 1772 to the 5th of January 1774, and have taken the grant of the province only until July 1772.

With reſpect to my not taking any future grant from his Majeſty, permit me to ſay, that without his Majeſty's leave I dare not refuſe it, leſt I ſhould incur a cenſure of the beſt of ſovereigns. And as the tenor of the grant is during my reſidence in the province as Chief Juſtice, I receive it as during good behaviour, which in my opinion preſerves me from any undue bias in the execution of my office."

The Houſe of Repreſentatives expreſſed their reſentment at the above writing in very ſevere terms, charging Mr Oliver with ungratefully, falſely, and maliciouſly, labouring to lay imputation and ſcandal on this his Majeſty's government, &c. and conclude their articles of impeachment as follows.

"Wherefore this Houſe of Repreſentatives, in their own name, and in the name of all the inhabitants of this province, do impeach the ſaid Peter Oliver, Eſq; of the high crimes and miſdemeanors aforeſaid. And they pray that the ſaid Peter Oliver, Eſq; Chief Juſtice of the Superior Court of Judicature, &c. over this whole province, may be put to anſwer to all and every of the premiſſes; and that ſuch proceedings, examinations, trials, and judgements, may be

be had and ordered thereon, as may be agreeable to law and juſtice."

The above articles of impeachment were agreed to; the Yeas being 92, the Nays 8.

The Houſe having, previous to the carrying up this impeachment, acquainted the Governor of their reſolution, and deſired he would then be in the chair; his Excellency was pleaſed to ſend them the following meſſage, viz.

"*Gentlemen of the Houſe of Repreſentatives,*

By your meſſage of yeſterday you informed me, that you had reſolved to impeach Peter Oliver, Eſq; Chief Juſtice of the Superior Court, &c. before the Governor and Council, of high crimes and miſdemeanors, and that you had prepared the articles of impeachment; and you prayed that I would be in the chair, that you might then have an opportunity of laying them before the Governor and Council.

I know of no ſpecies of high crimes and miſdemeanors, nor any offence againſt the law committed within this province, let the rank or condition of the offender be what it may, which is not cogniſable by ſome judicatory or judicatories, and I do not know that the Governor and Council have a concurrent juriſdiction with any judicatory in criminal caſes, or any authority to try and determine any ſpecies of high crimes and miſdemeanors whatſoever.

If I ſhould aſſume a juriſdiction, and with the Council try offenders, againſt the law, without authority granted by the charter, or by a law of the province in purſuance of the charter, I ſhould make myſelf liable to anſwer before a judicatory which would have cognizance of my offence, and his Majeſty's ſubjects would have juſt cauſe to complain of being deprived of a trial by jury, the general claim of Engliſhmen, except in thoſe caſes where the law may have made ſpecial proviſion to the contrary.

Whilſt ſuch proceſs as you have attempted to commence ſhall appear to be unconſtitutional, I cannot ſhew any countenance to it.

Milton, Feb. 26. T. HUTCHINSON."

The Houſe, upon the conſideration of this meſſage, ſent up to the Governor and Council the ſame articles, with an introduction and concluſion in a different form from the other; by no means however retracting their impeachment, or their original addreſs for the removal of the Chief Juſtice. The introduction was altered as follows.

"Articles of high crimes and miſdemeanors offered and preſented to his Excellency the Governor, and to the Honourable his Majeſty's Council, againſt Peter Oliver, Eſq; Chief Juſtice, &c. this 1ſt day of March 1774.

[Here the articles were brought in as they ſtood in the impeachment, and the concluſion was as follows, viz.]

"All which matters, contained in the foregoing articles, the ſaid Houſe of Repreſentatives are ready to verify and prove. They therefore pray in their own name, and in the name of all the inhabitants of this province, that the Governor and Council would give orders that the ſaid Peter Oliver, Eſq; may be notified to make anſwer to the charges contained in the foregoing articles, and be brought to a hearing and trial thereon; that if he be found guilty thereof, he may, by the Governor and Council, be forthwith removed from his ſaid office, and ſome other more worthy be nominated and appointed in his ſtead."

There were 78 members preſent in the Houſe, and the diviſion was 71 to 7.

From the Boſton gazette.

Boſton, March 30. On the 4th inſt. the Houſe of Repreſentatives ordered a committee to wait on his Excellency the Governor with the following meſſage.

"*May it pleaſe your Excellency,*

The Houſe of Repreſentatives are informed by the Secretary, that you have declined giving your conſent to the grants they have made to the ſeveral Agents of the Council and Houſe, We judge it a very great grievance that your Excellency, by continually with-holding your conſent, hath ſo often rendered fruitleſs the endeavours of the Repreſentatives of the People to do juſtice, by making due payment to gentlemen who have been appointed to ſerve the province in its moſt important concerns at the court of Great Britain, and have faithfully performed their truſts. We are the more ſurpriſed at your Excellency's thus refuſing to give your conſent to the grant to Benjamin Franklin, Eſq; as we find by a letter under the hand of his Majeſty's Secretary of State for the American department, directed to that gentleman, his Lordſhip has expreſsly recogniſed him to be the Agent of the Houſe of Repreſentatives. We therefore pray that your

Excellency

Excellency would not any longer put it out of our power to do ſo plain and obvious an act of juſtice."

On the Wedneſday following the Governor was pleaſed to ſend the following meſſage to both Houſes.

"*Gentlemen of the Council, and Gentlemen of the Houſe of Repreſentatives,*

I have omitted nothing in my power, conſiſtent with my duty to the King, which had a tendency to promote harmony and good agreement in the legiſlature, the preſent ſeſſion. I have paſſed over without notice the groundleſs, unkind, and illiberal charges and inſinuations made by each of the other branches againſt the Governor, rather than any part of the public buſineſs of the province ſhould be left unfiniſhed; but as ſome of your votes, reſolves, and other proceedings, which you have ſuffered to be made public, ſtrike directly at the honour and authority of the King and of the Parliament, I may not neglect bearing public teſtimony againſt them, and making uſe of the power veſted in me by the conſtitution, to prevent you from proceeding any further in the ſame way.

T. HUTCHINSON."

The Maſſachuſet's gazette of April 4. gives an account, that on the 30th of March laſt the Great and General Court or Aſſembly of that province, which ſtood prorogued to the 13th of April, was by the Governor diſſolved, and the members diſcharged from any further attendance.

Queries put to Dr Franklin, by a friend, who wiſhes to ſee matters conciliated between the Americans and the mother-country; with the Doctor's Anſwers.

From the London papers in the end of February.

Q. 1. Will not a repeal of all the duties, that of tea excepted, which was before paid here on exportation, and of courſe a new impoſition, fully ſatisfy the colonies?

A. I think not.

Q. 2. Your reaſons for that opinion.

A. Becauſe it is not the ſum paid in that duty on tea that is complained of as a burden, but the principle of the act, expreſſed in the preamble, viz. that thoſe duties were laid *for the better ſupport of government, and the adminiſtration of juſtice, in the colonies.* This the coloniſts think unneceſſary, unjuſt, and dangerous to their moſt important rights: *Unneceſſary*, becauſe in all the colonies (two or three new ones excepted) government, and the adminiſtration of juſtice, were, and always had been, well ſupported, without any charge to Britain: *Unjuſt*, as it made ſuch colonies liable to pay ſuch charge for others in which they had no concern or intereſt: *Dangerous*, as ſuch mode of raiſing money for thoſe purpoſes tended to render their aſſemblies uſeleſs; for if a revenue could be raiſed in the colonies for all the purpoſes of government by act of parliament, without grants from the people there, governors, who do not generally love aſſemblies, would never call them; they would be laid aſide; and when nothing ſhould depend on the people's good-will to government, their rights would be trampled on; they would be treated with contempt. Another reaſon why I think they would not be ſatisfied with ſuch a partial repeal, is, that their agreements not to import till the repeal takes place, include the whole; which ſhews that they object to the whole; and thoſe agreements will continue binding on them, if the whole is not repealed.

Q. 3. Do you think the only effectual way of compoſing the preſent differences, is to put the Americans preciſely in the ſituation they were in before the paſſing of the late ſtamp-act?

A. I think ſo.

Q. 4. Your reaſons for that opinion.

A. Other methods have been tried: They have been rebuked in angry letters; their petitions have been refuſed or rejected by parliament; they have been threatened with the puniſhments of treaſon, by reſolves of both Houſes; their aſſemblies have been diſſolved, and troops have been ſent among them: but all theſe ways have only exaſperated their minds, and widened the breach. Their agreements to uſe no more Britiſh manufactures have been ſtrengthened: and theſe meaſures, inſtead of compoſing differences, and promoting a good correſpondence, have almoſt annihilated your commerce with thoſe countries, and greatly endangered the national peace and general welfare.

Q. 5. If you think the only effectual way of compoſing the preſent differences (viz. to put the Americans preciſely in the ſituation they were in before the paſſing of the late ſtamp-act) ſhould be deemed by the legiſlature and his Majeſty's miniſters to be repugnant to their duty

duty as guardians of the juſt rights of the crown, and of their fellow-ſubjects; can you ſuggeſt any other way of terminating theſe diſputes, conſiſtent with the ideas of juſtice and propriety conceived by the King's ſubjects on both ſides the Atlantic?

A. I do not ſee how that method can be deemed repugnant to the *rights of the crown*. If the Americans are put into their former ſituation, it muſt be by an act of parliament, in the paſſing of which by the King, the rights of the crown are exerciſed, not infringed. It is indifferent to the crown, whether the aids received from America are granted by parliament here, or by the aſſemblies there, provided the quantum be the ſame; and it is my opinion, that more will be generally granted there voluntarily, than can ever be exacted or collected from thence by authority of parliament. As to the rights of *fellow ſubjects*, (I ſuppoſe you mean the people of Britain), I cannot conceive how thoſe will be infringed by that method. They will ſtill enjoy the right of granting *their own* money, and may ſtill, if it pleaſes them, keep up their *claim* to the *right* of granting *ours*; a right they can never exerciſe properly, for want of a ſufficient knowledge of us, our circumſtances and abilities, (to ſay nothing of the little likelihood there is that we ſhould ever ſubmit to it), therefore a right that can be of no good uſe to them; and we ſhall continue to enjoy *in fact* the right of granting *our* money, with the opinion now univerſally prevailing among us, that we are free ſubjects of the King, and that *fellow-ſubjects* of one part of his dominions are not *ſovereigns* over *fellow-ſubjects* in any other part. If the ſubjects on the different ſides of the Atlantic have different and oppoſite ideas of *juſtice* and *propriety*, no one method can poſſibly be conſiſtent with both. The beſt will be, to let each enjoy their own opinions, without diſturbing them when they do not interfere with the common good.

Q. 6. And if this method were actually allowed, do you not think it would encourage the violent and factious part of the coloniſts to aim at ſtill farther conceſſions from the mother-country?

A. I do not think it would. There may be a few among them that deſerve the name of factious and violent, as there are in all countries; but theſe would have little influence, if the great majority of ſober reaſonable people were ſatisfied. If any colony ſhould happen to think, that ſome of your regulations of trade are inconvenient to the general intereſt of the empire, or prejudicial to them, without being beneficial to you, they will ſtate theſe matters to parliament in petitions as heretofore; but will, I believe, take no violent ſteps to obtain what they may hope for in time from the wiſdom of government here. I know of nothing elſe they can have in view. The notion that prevails here, of their being deſirous to ſet up a kingdom or commonwealth of their own, is to my certain knowledge entirely groundleſs. I therefore think, that on *a total repeal of all duties, laid expreſsly for the purpoſe of raiſing a revenue on the people of America, without their conſent*, the preſent uneaſineſs would ſubſide, the agreements not to import would be diſſolved, and the commerce flouriſh as heretofore; and I am confirmed in this ſentiment by all the letters I have received from America, and by the opinions of all the ſenſible people who have lately come from thence, crown-officers excepted. I know indeed, that the people of Boſton are grievouſly offended by the quartering of troops among them, as they think, contrary to law; and are very angry with the board of commiſſioners, who have calumniated them to government: but as I ſuppoſe the withdrawing of thoſe troops may be a conſequence of reconciliating meaſures taking place, and that the commiſſion alſo will be either diſſolved, if found uſeleſs, or filled with more temperate and prudent men, if ſtill deemed uſeful and neceſſary, I do not imagine theſe particulars would prevent a return of the harmony ſo much to be wiſhed.

Q. 7. If they are relieved in part only, what do you, as a reaſonable and diſpaſſionate man, and an equal friend to both ſides, imagine will be the probable conſequence?

A. I imagine, that repealing the offenſive duties in part will anſwer no end to this country: the commerce will remain obſtructed, and the Americans go on with their ſchemes of frugality, induſtry, and manufactures, to their own great advantage. How much that may tend to the prejudice of Britain, I cannot ſay; perhaps not ſo much as ſome apprehend, ſince ſhe may in time find new markets. But I think, if the union of the two countries continues to ſubſiſt, it will

will not hurt the *general intereſt*; for whatever wealth Britain loſes by the failing of its trade with the colonies, America will gain; and the crown will receive equal aids from its ſubjects upon the whole, if not greater. B. FRANKLIN.

A ſpecimen of the rhetoric and courage of ſome good *and* wiſe *people in the province of Maſſachuſet's-bay.*

To all Nations under heaven.

Know ye,

THAT the *People* of the *American World* are *Millions* ſtrong — countleſs legions compoſe their united army of Freemen, whoſe intrepid ſouls ſparkle with *Liberty*, and their hearts are ſteeled with *Courage*, to effect what their *Wiſdom* dictates to be done. *America* now ſtands with the *ſcale* of *Juſtice* in one hand, and the *ſword* of *Vengeance* in the other; and *whatever* nation or people *dares* to lift a hoſtile hand againſt her, to invade her ſerene regions, or ſully her Liberty, ſhall ——— . Let the *Britons* fear to do any more ſo wickedly *as they have done*; for the *Herculean arm* of this *New World* is lifted up, and *Woe* to them on whom it falls! At the beat of the drum ſhe can call five hundred thouſand of her *ſons* to *arms*, before whoſe blazing ſhield none can ſtand. — Therefore, *ye that are wiſe*, make peace with *her*, take ſhelter *under her wings*, that ye may ſhine by the reflection of *her* glory.

Boſton gazette, Jan. 3. 1774.

An abſtract from a Boſton ſermon.

Be ye wiſe as ſerpents, — harmleſs as doves.

THIS, my dear brethren, is a leſſon for us all, ſuitable to our preſent ſituation. It calls aloud for all our cunning, and at the ſame time for our wiſdom, with meekneſs; a true mixture of each will prove a moſt ſovereign remedy, and extricate us all out of this ſore dilemma; but above all, have brotherly love, and true Chriſtian charity, which is the bond of peace and all virtue. Peace at home is a ſure wall of defence againſt all the attacks of fury and revenge; it is a moving caſtle of ſafety, which no force can endanger. If ye take but the ſhield of faith, fear ye not; although an hoſt be ſent againſt you, and they blockade you up, yet ſhall ye be ſecure from danger. Be ye ſtrong in the Lord, and in the power of his might, and ye ſhall ſend thoſe diſturbers of your peace back with ſhame and diſgrace. But woe unto the adverſaries of this our land, the inventers of thoſe evils you ſee approaching: fear not them that can only kill the body. Our cauſe is good, therefore, my dear countrymen, be ye zealous in a good cauſe.

Obſervations by a writer on the late behaviour of the Boſtonians. March 1774.

WHAT ſignifies our defending the honour of Great Britain againſt the frauds of France, or the outrages of Spain, if a petty little province, the creature of our own hands, the bubble of our own breath, is thus to trample us in the duſt? — What ſignifies our reſenting the quarrels of an ill-treated ſubject in any European ſtate, if every merchant on the vaſt continent of Britiſh America is to be proſcribed for furniſhing the Britiſh artiſans with bread? — We are fighting for the glory of Boſton, if Boſton muſt continue to give us laws; and only adding to her triumphs by ſhewing what an empire has been humbled by her obſtinacy.

If we would ſecure the ſubjection of the colonies effectually hereafter, we muſt preſerve our natural ſuperiority now; if it has been worth our while to contend againſt all Europe, for the eſtabliſhment of the American provinces, it is worth our while to contend for them againſt an inſignificant faction, now they are eſtabliſhed: the Americans themſelves, in their very crimes, ſet us an example of perſeverance; and ſurely, we are as well able to ſupport the maintenance of our juſt rights, as they are to ſtruggle for a manifeſt injuſtice.

A gentleman at Boſton to his correſpondent at London.

IT is an act of juſtice due to the people to mention what they ſay in juſtification of themſelves. They ſay, their rights and liberties were at ſtake; that parliament has no conſtitutional authority to tax them; that ſince the firſt parliamentary taxation, they have by their repreſentatives repeatedly petitioned and remonſtrated againſt it; that their petitions are diſregarded; that the act made at the laſt ſeſſion of parliament empowering the Eaſt-India company to ſhip their teas to America, demonſtrates that the miniſtry do, and intend to perſevere in their taxation-ſyſtem; that their ſubmiſſion to the ſaid act would be the eſtabliſhing and perpetuating that ſyſtem, and rivetting eternal ſhackles on themſelves and their poſterity; that they did

all

all in their power to rid themſelves of thoſe ſhackles with the leaſt detriment to the India company; that for this purpoſe they urged, and repeatedly urged, the conſignees to ſend back the tea, but to no effect; that when the conſignees denied their aſſiſtance, they endeavoured by the owner of one of the tea-ſhips to procure from the cuſtomhouſe and from the government the neceſſary papers for exporting it; that theſe being refuſed, and every block thrown in the way of ſhipping it back, the end of their meeting, viz. the preſervation of the tea, could not be effected; that theſe proceedings of theirs were no aſſumption of government, but flowed from the great law of nature, ſelf-preſervation; and that, notwithſtanding any repreſentations to the contrary, they are faithful and loyal ſubjects of his Majeſty; of which in the late wars they have given the higheſt evidence by co-operating with his late Majeſty's Britiſh ſubjects in diſtreſſing and ſubduing his and the nation's enemies; and this not by compulſion, not by taxation acts of parliament, but freely, and ſo much beyond the proportion and ability of this province, that parliament by repeated grants refunded a part of the expence. [xxv. 491.]

Extract from an addreſs to Lord North.

BRITAIN ſhould confirm to America her original privileges and immunities without blemiſh: her powers of diſtinct legiſlation and taxation, under the immediate controul of the crown and its governors; the trade and navigation of America ſhould be ſo limited as to make the ſame mutually uſeful; America ſhould look up to Britain for defence and protection, and for the encouragement of her trade, and good government of her police; America muſt abandon her illicit trade with Holland and France, and receive ſuch neceſſaries of life and conveniency as her induſtry and her fertile ſoil have not yet produced, from Britain, Ireland, and her ſiſter-colonies; and America muſt, by her own ſpecial act, bear a proportional part of the expences of government; America and Britain muſt conclude that their intereſts and ſecurity are inſeperable; and they muſt look upon the promoters of ſeditious ſentiments to revive diſſenſions, and lead their affections aſtray from each other, as enemies to both, and tools to foreign powers. [229.]

A PRAYER.

Said to be Prince Eugene's.

I Believe in thee, O my God, do thou ſtrengthen my faith; I hope in thee, confirm my hope; I love thee, inflame my love more and more; I repent of all my ſins, but do thou increaſe my repentance: as my firſt beginning, I worſhip thee; as my laſt end, I long for thee; as my benefactor, I praiſe thee; and as my ſupreme protector, I pray unto thee, that it may pleaſe thee, O Lord, to guide and lead me by thy providence, to keep me in obedience to thy juſtice, to comfort me by thy mercy, and to protect me by thy almighty power. I ſubmit to thee all my thoughts, words, and deeds, as well as my afflictions, pains, and ſufferings; and in thy name, and for thy ſake, to bear all adverſity with patience. I will nothing but what thou willeſt, becauſe it is agreeable to thee. Give me grace that I may be attentive in prayer, temperate in my diet, vigilant in my conduct, and unmoveable in all good purpoſes. Grant, moſt merciful Lord, that I may be true and juſt to thoſe who have intruſted me with their ſecrets; that I may be courteous and kind to all men; and that in both my words and actions I may ſhow them a good example. Diſpoſe my heart to admire and adore thy goodneſs, to hate all errors and evil ways, to love my neighbours, and deſpiſe the world. Aſſiſt me, moſt gracious God, in ſubduing luſt by mortification, covetouſneſs by liberality, anger by mildneſs, and lukewarmneſs by zeal and fervency. Enable me to conduct myſelf with prudence in all tranſactions, to ſhew courage in danger, patience in adverſity, in proſperity an humble will. Let thy grace illuminate my underſtanding, direct my will, ſanctify my body, and bleſs my ſoul. Make me diligent in curbing all irregular affections, zealous in imploring thy grace, careful in keeping thy commandments, and conſtant in working out my own ſalvation. Finally, O God, make me ſenſible how little is the world, how great thy heavens, and how long will be the bleſſed eternity. O that I may well prepare myſelf for death; that I may dread thy judgements; that I may avoid the torments of hell; and obtain of thee, O God, eternal life, through the merits of Jeſus Chriſt our Lord. Amen.

A catalogue of NEW BOOKS, with remarks and extracts, continued. [207.]

LONDON.

Religion, Controverſy, &c.

Inſtitutes of natural and revealed religion. vol. 3. Containing a view of the doctrines of revelation. By Joſeph Prieſtly, LL. D. F. R. S. 2s. 6d. ſewed. *Johnſon* [xxxv. 594.] —— Treats of the doctrine of revelation concerning the attributes of God, the various duties required of man, the poſitive inſtitutions of Judaiſm and Chriſtianity, the government of Chriſtian churches, the future expectations of mankind, of other intelligent beings beſides man, and of abſtinence from blood. C.

The true nature and infinite importance of religion and Chriſtianity opened and vindicated. 12mo, 35 pages. Printed at Dublin, by S. Powel. —— A plain and rational account is here given of religion, natural and revealed; and both are diſplayed in that engaging view, which may ſerve to *allure* mankind to practiſe the duties which they inculcate. — This little tract is written, we are informed, by a worthy clergyman of Dublin, who hath printed a numerous impreſſion, at his own expence, in order to diſtribute the copies among thoſe to whom he had any expectations of doing good by ſo well intended and ſuitable a preſent. M.

An eſſay on the clergy; their ſtudies, recreations, decline of influence, &c. &c. By the Rev. W. J. Temple, LL. B. 1s. 6d. *Dilly.* —— Suggeſts many uſeful and important obſervations, but ſeems to have diſpatched ſome of his ſubjects without preciſion. C.

A letter addreſſed to Dr Hakeſworth, and humbly recommended to the peruſal of the very learned Deiſts. 6d. *Payne.* —— The flavour of this literary fungus is not ſuch as to recommend it to the reliſh of any of the learned to whom it is meant to be ſerved up. M.

Sentiments for free devotion, addreſſed to the diſſenters, eſpecially to the diſſenting advocates for liturgies. 1s. *Backland.* —— An advocate for free devotion, or extempore prayer. C.

Queries relating to the Book of Common Prayer, &c. with propoſed amendments. Addreſſed to thoſe in authority, and ſubmitted to their conſideration. By Francis Wollaſton, LL. B. 1s. *Wilkie.* —— Of conſiderable importance, and propoſed with great modeſty. C.

An attempt to ſtate in a ſhort, plain, and impartial manner, the principal arguments which have been uſed in the controverſy between the church of England and Proteſtant diſſenters. 1s. *Dilly.* —— Conducted with decency and a becoming ſpirit. M.

A review of ſome of the articles [art. 3. 4. 6. 8. 23. 33. 37.] of the church of England, to which a ſubſcription is required of Proteſtant diſſenting miniſters. By Samuel Wilton. 4s. *Backland.* —— Senſible and judicious. M.

An anſwer to a pamphlet, intitled, Conſiderations on the propriety of requiring a ſubſcription to articles of faith. 1s. *Rivington.*

Hiſtory, Law, Politics, &c.

The Roman hiſtory, in a ſeries of letters from a nobleman to his ſon. 6s. *Snagg* —— Written, for the moſt part, in a familiar and pleaſing ſtrain; but it is unequal, frequently inaccurate, in the details. M.

The hiſtory of the revolutions of Denmark. With an account of the preſent ſtate of that kingdom and people. By John Andrews, LL. D. 2 vols. 12s. *Nourſe* —— This work, beſides the hiſtory, contains a full, diſtinct, and judicious repreſentation of the political ſtate of Denmark. C.

The advantages of an alliance with the Great Mogul: By John Moriſon, Eſq; general and commander in chief of the Great Mogul's forces; ambaſſador-extraordinary and plenipotentiary to his Majeſty King George III. 1s. 6d. *Cadell.* —— We recommend this publication to the peruſal of every man who intereſts himſelf in the welfare of his country. C.

A new introduction to the knowledge and uſe of maps; rendered eaſy and familiar to any capacity. To which is added, an appendix, containing remarks on Dr Solander and Mr Banks's voyage to the ſouthern hemiſphere. And alſo ſome late diſcoveries near the north pole; with obſervations aſtronomical, philoſophical, and geographical. Edit. 3. [xxxv. 254.] 3s. *Crowder.*

A journal of a voyage to the South ſeas, in his Majeſty's ſhip the Endeavour, faithfully tranſcribed from the papers of Sydney Parkinſon, &c. folio. 1l. 5s. in boards. *Richardſon.* —— Compiled from certain manuſcripts of the late Mr Parkinſon, draughtſman to Mr Banks in his late expedition round the world. The writer ſeems to have been a well-diſpoſed young man, who kept a regular diary of ſuch occurrences as fell within the ſphere of his knowledge and obſervation; the work is enlarged by ſome pretty copious ſpecimens of the language of Otaheite, and other parts which he viſited; and this journal is illuſtrated by twenty-ſeven plates, which perhaps may be thought to conſtitute the moſt valuable part of it. M.

A tour to Spa, through the Auſtrian Netherlands. 2s. *Richardſon & Urquhart.* —— Trifling. C.

Excurſion into Normandy and Brittany. 2s. *Richardſon & Urquhart.* Trifling. C.

Eunomus i

Eunomus; or, Dialogues concerning the law and conſtitution of England. With an eſſay on dialogue. 4 vols. 14 s. in boards. *White.*

Select letters on the trade and government of America, and the principles of law and polity applied to the American colonies. Written by Gov. Bernard, at Boſton, in 1763, 4, 5, 6, 7, & 8. Now firſt publiſhed. To which are added, the petition of the aſſembly of Maſſachuſet's-bay againſt the Governor, his anſwer thereto, and the order of the King in council thereon. 2 s. *Payne.* —— Theſe letters appear to be made public by the proper authority, and will certainly contribute to lighten the load of obloquy heaped on the Governor for the diſcharge of his duty as the ſupreme crown-officer in the province of Maſſachuſet's-bay: a character that we ought not to loſe ſight of, while we attempt to form an opinion of his conduct there. M.

A letter to Dr Tucker, on his propoſal of a ſeparation between G. Britain and her American colonies [90.]. 1 s *Becket.* —— We are ſorry that the argument in this letter, which we think a good one, is not ſupported by better talents than thoſe of this writer. M.

Conſiderations on the meaſures carrying on with reſpect to the Britiſh colonies in North America. 1 s. 6 d. *Baldwin.* —— One of the moſt candid and beſt-informed of any of the late writers on the intereſts of G. Britain and her colonies. M. — He compares the reſiſtance in the Americans to their governors to that of Engliſhmen to their King at the revolution.

A political ſurvey of Britain: being a ſeries of reflections on the ſituation, lands, inhabitants, revenues, colonies, and commerce of this iſland. Intended to ſhew that we have not as yet approached near the ſummit of improvement, but that it will afford employment to many generations before they path to their utmoſt extent the natural advantages of G. Britain. By John Campbell, LL. D. 2 vols. 4to. 2 l. 2 s. in boards. *Durham.* —— When we conſider the amazing variety of unintereſting topics neceſſarily comprehended in ſo general a plan, and the difficulty of uniting in one uniform maſs ſuch oppoſite and diſcordant materials, we are leſs ſurpriſed at defects than aſtoniſhed with the talents which enable Dr Campbell to engage attention through tireſome pages ſo devious and barren. Scarce had any former writer preſumed to ſketch ſo much as the outlines of a deſign equally laborious and extenſive. Our beſt political compilers are ſhort even in idea of what he has actually accompliſhed; the concentrating in one point of view every advantage of policy and induſtry, of nature and of art, with which Providence has enriched the Britiſh empire. C.

The chains of ſlavery: a work wherein the clandeſtine and villanous attempts of princes to ruin liberty are pointed out, and the dreadful ſcenes of deſpotiſm diſcloſed. To which is prefixed, an addreſs to the electors of G. Britain, in order to draw their timely attention to the choice of proper repreſentatives in the next parliament. 4to. 12 s. ſewed. *Becket.* —— Executed in a manner that will reflect honour on the author's abilities. C.

Principles of trade. 2 s. *Brotherton.* —— Contains ſome very ſenſible obſervations on bounties, coin, and paper-credit: the author argues for bounties, eſpecially on corn, and is a great friend to paper-credit. C.

An addreſs to the artiſts and manufacturers of G. Britain, by W. Kenrick, L. L. D. 2 s. *Domville.* —— The great purport of this well-written pamphlet is to perſuade artiſts, and the authors of mechanic inventions, to agree in an application to parliament for an excluſive right to ſuch inventions. C.

Letters to men of reaſon, and the friends to the poor, on the hardſhips of the exciſe-laws, relating to malt and beer; more eſpecially as they affect the inhabitants of cities and great towns. With a few remarks on the late regulations in the corn-trade. 1 s. *Almon.* —— This writer appears to underſtand his ſubject, and to have conſidered it with attention. M.

Medicine, Surgery, Mathematics, &c.

Caſes in the acute rheumatiſm and the gout; with curſory remarks, and the method of treatment. By Thomas Dawſon, M. D. 2 s. *Johnſon.* —— Theſe caſes, which appear to be faithfully related, contain an account of ſeveral cures performed, or great benefit received, from the uſe of the tinct. guaiac. vol. taken in the quantity of half an ounce, made into a draught with common water, in the acute rheumatiſm and gout; — but he candidly refrains from determining how early in the diſeaſe it may be moſt ſucceſsfully adminiſtered. C.

An eſſay on the moſt effectual means of preſerving the health of ſeamen in the royal navy. And a diſſertation on fevers and infection. Together with obſervations on the jail-diſtemper, and the proper methods of preventing and ſtopping its infection. By James Lind, M. D. 6 s. *Wilſon* and *Nicol.* —— This volume conſiſts chiefly of treatiſes formerly publiſhed by the author at different times, and now much enlarged, with the additional advantage of a more methodical arrangement. C.

Chirurgical obſervations and caſes. By William Bromfield, ſurgeon to her Majeſty, and to St George's hoſpital. Illuſtrated with copperplates. 2 vols. 14 s. *Cadell.* ——

Many

Many new, pertinent, and uſeful remarks, are contained in this work. M.

Serious conſiderations on ſome remarkable paſſages in a work lately publiſhed by Mr B***, and preſented to his Majeſty. 1 s. *Hewit.* —— A continued ſtrain of waggery, and contemptuous irony. M.

Notes on Mr William Bromfield's two volumes of chirurgical obſervations, &c. &c. By D. A. S. M. D. and profeſſor of Surgery. 1 s. *Longman.* —— Attacks Mr Bromfield on the method propoſed by him of treating conculſions of the brain, on his aſſuming the diſcoveries of others to himſelf, and on the improprieties, ſingularities, and negligences of his ſtyle. He however acknowledges the utility of ſome of Mr Bromfield's remarks; various parts of which he confeſſes may be read, not only with ſafety, but improvement. M.

An account of the late Dr Goldſmith's illneſs, ſo far as relates to the exhibition of Dr James's powders: Together with remarks on the uſe and abuſe of powerful medicines in the beginning of acute diſeaſes. By William Hawes, apothecary. 1 s. *Brown.* —— Attributes the loſs which ſociety has ſuſtained, by the death of ſo ingenious and worthy a member of it, to the miſchievous effects of the fever-powders, injudiciouſly adminiſtered. M.

The young ſurgeon's dictionary; or, Pupil's inſtructor, &c. 2 s. 6 d. ſewed. *Brown.* —— We can find no other method of eſtimating the worth of this performance, than that of literally *weighing* it. The paper ordered on which this very ſmall and coſtly production is printed, though ſufficiently coarſe and brown, might honeſtly, between man and man, be worth about two pence halfpenny, when it came out, pure and undefiled, from the hands of the manufacturer. But the compiler and printer have had the addreſs, on its paſſing through their hands, to reduce it to waſte paper; in which ſtate it will ſcarce fetch a *farthing*. It weighs, cover and all, under four ounces. M.

A new and eaſy method of finding the longitude at ſea, with like accuracy that the latitude is found. Adapted to general uſe. By T. Kean. 1 s. 6 d. *Nourſe.* —— Appears to be rational, uſeful, and eaſy, as it may be underſtood and put in practice by every mariner who is capable of taking an obſervation, and working the rule of three by logarithms. C.

[The reſt of the Engliſh books are deferred.]

EDINBURGH.

Regiam Majeſtatem. The auld lawes and conſtitutions of Scotland. Faithfullie collected furth of the Regiſter, &c. fra the dayes of K. Malcolme II. untill the time of K. James I. Tranſlated out of Latine in Scottiſh language. Be Sir John Skene of Curriehill, Clerk-Regiſter. Printed conform to the firſt edition in 1609. Quhereto are adjoined twa treatiſes; ane anent the order of proces before the Lords of Seſſion; the other of crimes, and judges in criminal cauſes. 4to. 19 s. in boards. *Wood, Bell,* and *Elliot.*

A ſyſtem of ſtiles, as now practiſed in Scotland. By George Dallas of St Martins. Edit. 2. [Firſt publiſhed in 1697.] 2 vols. 4to. 12 s. 6 d. each in boards. Vol. 1. *Wood, Bell,* and *Elliot.*

The education of poor children recommended: A ſermon, [from Pſal. cxliv. 12.] preached in Lady Glenorchy's chapel, Edinburgh, May 18. 1774, before the managers of the Orphan-hoſpital, and publiſhed at their deſire. By John Erſkine, D. D. one of the miniſters of Edinburgh. 6 d. *Gray.* —— The Rev. preacher, after repreſenting, that the Chriſtian education of poor children, 1. tends to prevent miſery, and therefore is more noble than that which only alleviates diſtreſs, or procures it a ſhort and uncertain relief; 2. is charity to the ſouls of men; 3. is a charity in which, of all others, there is the moſt probable proſpect of doing good, and the ſmalleſt danger of miſapplication; and, 4. is of moſt extenſive influence, in promoting the glory of God, the advancement of religion, and the temporal proſperity of a nation, — adds, "Theſe conſiderations abundantly juſtify the prudence of the gentlemen, who having raiſed, by their own generous contributions, a fond for maintaining, cloathing, and inſtructing poor orphans, from all corners of the kingdom, were erected into a corporation for that purpoſe, A. D. 1742. Such has been the ſucceſs of this benevolent inſtitution, that many hundreds have been inſtructed in the principles of religion, reading, writing, arithmetic; and in ſpinning, and ſuch other employments as might beſt fit them for uſefulneſs as tradeſmen or houſehold-ſervants. For twenty years paſt, there have been in the houſe from thirty-five to fifty children. The intereſt of their capital, and voluntary donations, enabled the corporation laſt Auguſt to increaſe the number of orphans to ſixty; and ſince that time, to defray the expence of ſeveral alterations and improvements made on the hoſpital. The managers being allowed the uſe of this chapel for occaſional ſermons, the collections at which go to the orphans, have turned a conſiderable part of the houſe, formerly reſerved for preaching, into comfortable and healthy apartments for lodging the children, which are capable of containing double the number now in the houſe, and where nothing, ſave the narrowneſs of their funds, prevents their receiving many deſtitute orphans, who ſolicit admittance."

ODE

ODE ſpoken by Lt-Col. PENNINGTON, *to the ſoldiers of the 37th regiment, at Fort George, on the 1ſt of January* 1774, *at a dinner which he gave them in a large ſtore houſe; preſent* 250 *men,* 64 *women, and* 42 *children.*

FLY hence! be gone! heart-wringing Care
And Diſcontent—a gloomy pair!
Drag with you all the paſt year's pain,
And every ill that crowd your train;
For laughing Mirth and honeſt Cheer,
ſhall welcome in the new-born year.

Welcome to our feſtive board,
Truſty brothers of the ſword!
Welcome all you ſocial band,
Faithful guardians of the land,
Aſſerters of Britannia's right,
Renown'd for war and martial fight.

The neighb'ring field your valour ſhows,
Where Macintoſhes—hardy foes!
Lie buried in diſtinguiſh'd heaps:
Still o'er theſe ſons Britannia weeps,
Lamenting virtue ſo diſgrac'd,
And gallant ſpirit ſo miſplac'd.
Within the iſle then peace reſtor'd,
Your aid the German powers implor'd:
At Lafeldt ſoon you ſhew'd the foe,
What proweſs could with conduct do;
The General, conſcious 'twas your due,
By public thanks diſtinguiſh'd you:
Minden, upon the rolls of Fame,
Gives you a great and glorious name,
Where, on a plain extended wide,
Out-number'd far on ev'ry ſide,
You taught the world what Valour cou'd,
Arm'd in the cauſe of Public Good,
Effect——

—— Six corps alone the battle gain'd,
And Vict'ry to the Britiſh ſtandard chain'd,
Gallantly forc'd her from a num'rous throng,
Who counted full an hundred thouſand ſtrong.
The future times will wonder at the fact,
And ſcarce believe it was an human act:
The plains of Minden, Sparta muſt agree,
Surpaſſes e'en her fam'd Thermopylæ.

Let theſe great acts for ever be
Deep rooted in your memory,
And ever preſent to your view,
To virtue rouſe and ſtim'late you,
That when again, on war's alarm,
Your country claims your 'vengeful arm,
Th' implanted ſenſe of former fame,
May give new luſtre to your name,
And teach the world this glorious truth,
That, train'd to war, the Britiſh youth,
With patriotic zeal inſpir'd,
Their breaſts with love of glory fir'd,
All nations on the earth excell,
Are matchleſs and invincible.

Thus ſhall your country's annals boaſt your corps,
And, glorious thought! in ages hence,
Some valiant chief to ſtimulate the more
And urge his troops, the battle in ſuſpenſe,
Shall hold your great example to their view,
And owe his wreath of victory to you:
This influence will your living virtue have,
And thus you'll ſerve your country in the grave.

PORTRAIT of Mr GARRICK.

By Dr GOLDSMITH.

HEre lies David Garrick, deſcribe him who can,
An abridgement of all that was pleaſant in man:
As an actor, confeſs'd without rival to ſhine;
As a wit, if not firſt, in the very firſt line.
Yet, with talents like theſe, and an excellent heart,
The man had his failings: A dupe to his art,
Like an ill judge in beauty, his colours he ſpread,
And beplaiſter'd with rouge his own natural red.
On the ſtage he was natural, ſimple, affecting;
'Twas only that when he went off he was acting.
With no reaſon on earth to go out of his way,
He turn'd and he vary'd full ten times a day:
Tho' ſecure of our hearts, yet confoundedly ſick,
If they were not his own by fineſſing and trick.
He caſt off his friends, as a huntſman his pack;
For he knew, when he pleas'd, he could whiſtle them back:
Of praiſe a mere glutton, he ſwallowed what came,
And the puff of a dunce he miſtook it for fame;
Till his reliſh grown callous, almoſt to diſeaſe,
Who pepper'd the higheſt was ſureſt to pleaſe.
But let us be candid, and ſpeak out our mind;
If dunces applauded, he paid them in kind.
Ye Kenricks, ye Kellys, and Woodfalls ſo grave,
What a commerce was yours, while you got and you gave?
How did Grubſtreet re-echo the ſhouts that you rais'd,
While he was be-Roſcius'd, and you were be-prais'd!
But peace to his ſpirit, where-ever it flies,
To act as an angel, and mix with the ſkies:
Thoſe poets who owe their beſt fame to his ſkill,
Shall ſtill be his flatterers, go where he will:
Old Shakeſpeare receive him with praiſe and with love,
And Beaumonts and Bens be his Kellys above.

On Mr Cumberland, Author of the Weſt Indian.

By the SAME.

HEre CUMBERLAND lies, having acted his parts,
The Terence of England, the mender of hearts;
A flattering painter, who made it his care
To draw men as they ought to be, not as they are.
His gallants are all faultleſs, his women divine,
And Comedy wonders at being ſo fine;

Like-

Like a Tragedy-Queen he has dizen'd her out,
Or rather like Tragedy giving a route.
His fools have their follies, fo left in a croud
Of virtues and feelings, that Folly grows proud;
And coxcombs, alike in their failings alone,
Adopting his portraits, are pleas'd with their own.
Say, where has our poet this malady caught?
Or wherefore his characters thus without fault?
Say, was it that, vainly directing his view,
To find out mens virtues; and, finding them few,
Quite ſick of purſuing each troubleſome elf,
He grew lazy at laſt, and drew from himſelf?

THE SELF-EXAMINATION.

From Original poems by a lady. [93.]

WHY throbs my heart when he appears?
From whence this tender ſigh?
Why are my eyes diſſolv'd in tears,
When he's no longer nigh?

Where are my wonted pleaſures fled?
Nor books, nor lyre can pleaſe;
That lies untouch'd, and theſe unread:
All occupations teaſe.

One lov'd idea ſtill employs
All hopes, and all deſires!
Walks are inſipid, Muſic's noiſe;
And converſation tires.

But when Philander ſpeaks, 'tis then
I all attention pay;
And fondly with the power to pen
Whate'er he deigns to ſay!

O with what ſkill I ſtrive to hide
The joy my boſom feels!
When he, oft ſeated by my ſide,
To me his thoughts reveals.

Wit, Senſe, and Genius, then conſpire
Each faculty to ſeize!
And while I fondly thus admire,
I loſe the power to pleaſe.

A pauſe enſues, his eyes ſtill ſpeak,
As waiting a reply:
My words in falt'ring accents break;
Or on my lips they die.

Oh were Philander once to bear,
In all my woes a part;
And ſoftly whiſper in my ear,
The ſecret of his heart!

What pleaſure thro' each ſenſe would glide!
What tranſport ſhould I feel!
O ſay, my heart, thus ſweetly try'd,
Could'ſt thou thy joys conceal!

The INVITATION.

YE who in cities ſeek to gain
The tranquil joys ye ne'er obtain,
And as the buſy minutes fly,
Unheeded breathe the heart felt ſigh;

If pure your boſom, in your heart
If fraud or av'rice have no part,
Come ſeek with me, nor ſeek in vain,
For pleaſure unalloy'd with pain,

When vernal hours appear, and lead
Young Flora o'er the hill and mead,
Reſounds with muſic ev'ry grove,
And ev'ry note is tun'd to love.

Not ſuch the ſweets Arabia yields,
As thoſe we taſte from new-mown fields;
Nor reſts the ſon of care his head
On aught ſo ſoft as ſhepherd's bed,

How glows the breaſt when Autumn pours,
Profuſe around, her golden ſtores!
Nor think when Winter thins the ſhade,
Our pleaſures, like the groves, muſt fade.

The ſocial fire we pile on high,
And Boreas' fierceſt blaſts defy:
And as we o'er the modeſt bowl,
Mix reaſon and the flow of ſoul,

With hope the coming year we view,
When Spring its pleaſures will renew;
And thence ſtill higher lift our eyes,
To other ſprings and other ſkies. Y.

ODE *for his Majeſty's birthday, June* 4. 1774.

By William Whitehead, Eſq; Poet-Laureat.

HArk!—Or does the Muſe's ear
Form the ſounds ſhe longs to hear!—
Hark! from yonder Weſtern Main,
O'er the white wave ecchoing far,
Vows of duty ſwell the ſtrain,
And drown the notes of war.
The prodigal again returns,
And on his parent's neck reclines:
With honeſt ſhame his boſom burns:
And in his eye affection ſhines,
Shines through tears, at once that prove,
Grief, and joy, and filial love.

Diſcord, ſtop that raven voice,
Leſt the nations round rejoice,
Tell it not on Gallia's plain,
Tell it not on Ebro's ſtream,
Tho' but tranſient be the pain,
Like ſome deluſive dream:
For ſoon ſhall Reaſon, calm, and ſage,
Detect each vile ſeducer's wiles,
Shall ſooth to peace miſtaken rage,
And all be harmony and ſmiles;
Smiles repentant, ſuch as prove
Grief, and joy, and filial love.

O prophetic be the Muſe!
May her monitory flame
Wake the ſoul to noble views,
And point the path to genuine fame!
Juſt ſubjection, mild commands,
Mutual intereſt, mutual love,
Form indiſſoluble bands,
Like the golden chain of Jove,
Cloſely may they all unite!
—And ſee, a gleam of luſtre breaks
From the ſhades of envious Night—
—And hark, 'tis more than Fancy ſpeaks.
They bow, they yield, they join the chorai lay,
And hail, with us, our monarch's natal day.

HI-

HISTORICAL AFFAIRS.

TURKY.

The Turks and Ruſſians are putting their troops in motion.

"*Jaſſy, April* 18. Haſſan Pacha has advanced with his corps a great way into Moldavia, and as yet carries every thing before him, Marſhal Romanzow judging it not proper to part with ſo large a number of men from the main body of his army as it will be neceſſary to oppoſe the Turks. They have made themſelves maſters of the town of Chotzyn, with another town near it, and have likewiſe taken ſeveral forts and other places of importance. The Baſſa of Widdin is in Walachia, with a body of 23,000 men, and has poſſeſſed himſelf of the garriſons of Alarth and Pedt."

"*Warſaw, April* 30. According to letters from Moldavia, the Ruſſians are on their march into Valachia, and ſince the 12th ult. ſix regiments have taken the route of Jaſſey to Bender, the fortifications of which are augmenting, and conſiderable magazines are forming. The army of Prince Dolgorucki, which has paſſed the winter in the government of Kiovia, and has an eye on the Crimea, is to march to Bog. We are aſſured that this army is to open the trenches before Oczakow the beginning of May."

"*Conſtantinople, April* 8. The Grand Signior has given orders to the Captain Pacha, who commands on the Black ſea, to attempt the recovery of the city of Aſoph, which is now in the poſſeſſion of the Moſcowites. Great preparations have been making for this expedition, the largeſt of the Raguſan auxiliary ſhips being employed in the ſervice, and four ſtout new ſhips which were built here under the inſpection of ſome French ſhipbuilders. Three veſſels belonging to the Ruſſian ſquadron under M. Kingſbergen in the Black ſea, have been lately taken, and brought in here."

"*Paros, April* 8. Diſtance of place has prevented our learning till now the operations of our ſmall ſquadrons detached towards the coaſt of Syria, but we have now received the following authentic accounts by the arrival at this port of Count Wagnowitz, who was one of the commanders. —— The Turks endeavouring to deſtroy the reſt of Ali Bey's party, had driven the Prince of Baruth from his dominions, and fortified themſelves there as well as poſſible. — Our two ſmall ſquadrons, commanded by Count Wognowitz and the Chevalier Alexiano, afterwards united under the command of M. Cajauchaw, an officer of diſtinguiſhed merit and rank, lent every aſſiſtance to old Daher Omer, the ancienteſt and moſt faithful ally of the late Ali Bey, and beſieged Baruth by ſea and land. The enemy defended themſelves obſtinately, but being puſhed to the laſt extremity, were forced to yield, and only prayed for the protection of their lives, which was not only granted them, but alſo the liberty of tranſporting all the garriſon to different places of the government of Syria, by our ſhips. — The garriſon conſiſted of about 2500 men, moſtly Moors. The city paid a ranſom of 300,000 piaſtres, and our troops entered it in triumph, under the command of M. Baumgarten, Lieutenant of Gardes, who recalled the old Prince of Baruth, and re-eſtabliſhed him in his dominions. — This event has greatly animated the party of Daher Omar, who are at preſent meditating a blow againſt the Turks in theſe parts, and our fleet is happily arrived in this port to take in neceſſaries, and refit againſt the enſuing campaign."

POLAND.

The unhappy Poles ſtill continue to be oppreſſed. [212.]

"*Warſaw, April* 21. M. Krafzewſki, regimentary of Great Poland, having been ſummoned by the Pruſſians to leave his quarters, he not only kept his poſt, but moreover cauſed the Pruſſian Eagles, newly planted within his department, to be taken down, purſuant to the orders of the commiſſion of war; upon which the Pruſſian captain, who commanded the detachment charged with this execution, drew near, and aſked him the reaſon of this alteration; but he having anſwered, that he had only obeyed the orders of the commiſſion of war of the republic, the officer retired, having no inſtructions how to act in ſuch a caſe."

"*Warſaw, May* 7. Yeſterday a courier arrived here with the moſt ſurpriſing news, that the Pruſſians have taken the city of Frauenſtadt; that another army of 10,000 Pruſſians has juſt entered Great Poland; and that a large Pruſſian army, with the King at its head, had encamped near Dantzick. — A few days ago arrived here the regimentary Krafzewſky from Great Poland, and declared, that the

the Pruſſians have commenced hoſtilities with the Poliſh troops at Kiolow upon the Wartha, at which engagement ſixty of the latter were killed, and eighty were taken priſoners: he met on the road a detachment of ten Pruſſian huſſars, which he took priſoners and brought thither; which greatly alarmed this city."

"*Warſaw, April* 27. The 23d of this month the miniſters of the three allied powers again debated upon the project of the permanent council; but all the delegation oppoſed it, particularly M. Wilezewſki, who made a very pathetic diſcourſe on the misfortunes which the propoſed council might cauſe, and propoſed an expedient by fixing a permanent diet, which ſhould be held at different times, and be compoſed of nuncios every two years in the palatinates. The foreign miniſters rejected this propoſition, and the Pruſſian miniſter fixed on the Tueſday following finally to determine this important object, without which he would declare war againſt the republic. In conſequence of which they were to employ themſelves about it yeſterday; but the delegation did nothing eſſential."

"*Warſaw, May* 7. The project of a permanent council rather loſes ground than advances; moſt of thoſe who at firſt entered into it very readily, begin to go off; and notwithſtanding M. Benoit, the Pruſſian miniſter, told them, that a refuſal would be looked upon by his court as a declaration of war, the nation ſeems rather inclined to riſk any thing, than conform to the views of the allied courts. There were high debates on this ſubject in a late ſitting of the delegation: thoſe who ſpoke moſt on the ſubject were Prince Wonoricki and General Wilezeuſki: but M. Benoit was as warm in his replies as they were in their declarations. Miſtruſt and a dead melancholy ſeems inſenſibly to take poſſeſſion of every one's ſpirits, which is increaſed by the accounts from the frontiers of the kingdom; the laſt of which were received on Wedneſday, and mention, that the Pruſſian troops continued advancing in the kingdom: and that they have already taken poſſeſſion of Frauſtadt, which cauſed a general conſternation, and gave occaſion for violent debates in the delegation. Several of the members ſpoke in very warm terms to the miniſter of the court of Berlin; who anſwered them in a ſimilar manner. We are informed, that the King of Pruſſia has ordered a camp to be formed at Oliva, in the environs of Dantzick, and that he purpoſes being there in perſon. Every one is impatient to ſee the iſſue of theſe deſigns."

RUSSIA.

The rebellion of the Coſſacks [213.], which hath made ſo much noiſe over all Europe for ſome months paſt, ſeems to be entirely quelled.

Pr. Gallitzin, the Ruſſian miniſter at the Hague, has received an authentic letter from Peterſburg, dated April 19. with the following advices. — "Yeſterday the Empreſs received at Czarſko Zelo, by two officers of rank, the important and agreeable news, that the rebels, in number 9 or 10,000 men, commanded by the impoſtor Pugatſcheff, who ſtyles himſelf Peter III. have been entirely defeated, and that he himſelf with difficulty eſcaped with four of his companions. Seeing the body of troops under Gen. Prince de Gallitzin advance, in order to engage him, and reſcue the town of Orenburg, which he kept ſhut up, he had aſſembled his beſt troops in the fortreſs of Tatiſchewa, on the river Yain, which lay in the way to Orenburg. Prince Gallitzin attacked this place the 2d of April, and carried it ſword-in-hand. The rebels had 2000 men killed on the ſpot, 3000 taken priſoners, and loſt thirty-ſix pieces of cannon. The reſt were diſperſed, and the impoſtor himſelf with difficulty eſcaped. He afterwards went to another fortreſs, Berda, not far from Orenburg, where there were 4 or 5000 of his men. However, he had not time to take ſhelter there: for the Governor of Orenburg, hearing of his defeat, ſent a large detachment to make an attack upon the rebels at that place, and he, with about 1000 men, in a panic, abandoned Berda; but it is not doubted we ſhall have a good account of them, Prince Gallitzin having ſent parties every way to intercept the ſcattered remains of them. Thoſe who remained at Berda ſurrendered to the Governor of Orenburg, and great numbers of others ſurrender themſelves every day. Our loſs doth not exceed 150 or 200 men."

"*Peterſburg, April* 19. A meſſenger arrived yeſterday in the evening from Gen. Bibikow, with the agreeable account of the rebellion being entirely extinguiſhed, by the total defeat and diſperſion of the rebel-army, in an action which happened on the 25th of March, O.

O. S. at Tatiſczewa, thirty-ſix werſts from Orenburg; in which 2000 of the rebels were killed, and 3000 taken priſoners. Their chief, Pugatſcheffe, found means to eſcape. The detachment of troops that performed this ſervice, was commanded by Maj.-Gen. Gallitzin, brother to the Vice-Chancellor. Four Ruſſian officers and 200 private ſoldiers were killed, and between 5 and 600 wounded." *Lond. gaz.*

"*Extract of an authentic letter from Peterſburg, dated May* 2. 1774, *received by Prince de Gallitzin, the Ruſſian miniſter at the Hague.* My laſt informed you, that the rebels in the government of Orenburg had been defeated; that their chief had eſcaped, with about 1000 men, and ten pieces of cannon, towards the town of Yaick; and that ſome of our troops, detached from the corps of Gen. Prince de Gallitzin, were gone in purſuit of them. A courier arrived here the day before yeſterday, with advice, that the rebels, being turned out of that road by the above detachment, went towards the little fortreſs of Sumarck, behind Orenburg, where they were joined by ſeveral bodies of their people, with which they formed together a body of 4000 men. Our troops purſued them eagerly, and came up with them the 12th of April, killed 400 of them, and took 2000 priſoners, together with nine piece of cannon; and the reſt afterwards came and ſubmitted themſelves. Among the priſoners are all their principal people, and a kind of chancery; but the impoſtor, by conſtantly changing horſes, made his eſcape towards Baſkiria. The people of that country, who are Mahometans, in hopes of obtaining their pardon, have promiſed to ſeize and deliver him up; ſo that the government has great reaſon to hope he will be taken either by them or by our troops, who are gone in purſuit of him. The troops under Gen. Prince de Gallitzin have entered the town of Orenburg, where they were received with the greater joy by the inhabitants, as they have for five months paſt ſuffered exceedingly by the rebels. Gen. de Bibikoff, who commands in chief in that country, being taken very ill on his arrival at Orenburg, could not ſend ſo particular an account of what has paſſed as he intended."

"*Peterſburg, May* 3. An expreſs arrived from Gen. Bibikow on Saturday night laſt, with an account, that Prince Gallitzin had again engaged a body of the rebels commanded by their chief, on the borders of the Yaick; which he entirely defeated, Pagatſcheffe eſcaping with only fourteen men. It ſeems that after the former action he found means to aſſemble ſome thouſands of the fugitives, with which he engaged a ſecond time with the above corps. When the expreſs came away Gen. Bibikow was near Orenburg, and ſo ill of a fever as to be ſcarcely able to ſign the report." [278.] *Lond. gaz.*

SWEDEN.

"*Stockholm, April* 30. We have juſt received intelligence from Dr Rothmann, who was ſent to Tripoli by a company of merchants, in order to examine the ſalt of Tripoli, whether it is of as good a quality as that of Europe, that after making many experiments, he found that that commodity will anſwer in every reſpect as well as that of G. Britain; in conſequence of which our company will enter into a treaty with the regency of Tripoli, as propoſed by Sidi Abdraham Aga, their ambaſſador, who was here laſt year. Our company is to farm all the ſalt-works in that regency, and will have the only excluſive right to export it. One of our large merchant-ſhips has taken in a whole cargo of ſalt at Zoaro, and ſailed in the beginning of March. This new treaty promiſes a great benefit to our merchants, as we ſhall be able to provide all our neighbours, as well as Pruſſia and Poland, with that commodity, at a conſiderable lower rate than that which is imported from England.

A numerous company of watchmakers from Switzerland, have propoſed to his Majeſty to ſettle in his dominions, in caſe he will allow them ſome particular privileges; which was granted to them; and by which we hope to bring that branch of trade to the ſame perfection as in England and France."

GERMANY.

"*Vienna, April* 20. In the night between the 17th and 18th inſt. the great magazine at Dierrnkrotte, about four miles from this place, was ſet on fire, and conſumed: ſeveral of the ſoldiery periſhed in the flames. As that magazine was to be ſhipped towards the Turkiſh territories in a few days, it affords great ſuſpicion at court. The Emperor himſelf went thither in order to examine

the event; and the ſtricteſt inquiry is making about it."

"*Extract of a letter from Vienna.* The three criminals concerned in burning the Imperial magazine at Diernkrotts, April 18. were conducted here on the 29th, at midnight, under a numerous eſcort of cavalry. The principal criminal, a French Abbe, was ſeized at the inn *La Cour de Baviere*; the Spaniſh officer, late in the regiment of ——, was ſeized in the ſuburb of Leopolſtadt; and the Portugueſe Jew, who paid the villains that provided the combuſtibles for this diabolical purpoſe, was yeſterday ſeized at Enzerdoff. The French Abbé, upon being threatened with the torture, confeſſed he had received 12,000 livres by remittances from Paris, for this horrid tranſaction, &c. The conſequences of this diſcovery, it is apprehended, will cement, in the ſtrongeſt manner, our union with his Majeſty of Pruſſia. Every circumſtance relative to this melancholy tranſaction is kept in the ſtricteſt ſilence, for reaſons too obvious to mention."

"*Dreſden, May* 15. By accounts from Saxe Weimar we hear, that the reigning Duke's palace in that town was, on the 6th inſtant, entirely burnt down in the ſpace of three hours. The fire began directly under the apartment of the Ducheſs dowager, who was ill in bed; and the progreſs of the flames was ſo rapid, that there was hardly time to convey her Highneſs down ſtairs, before the fire broke out in three other different apartments at the ſame inſtant. It cannot yet be aſcertained how this accident was occaſioned." *Lond. gaz.*

"*Dreſden, May* 22. We have received accounts from different provinces of this electorate, that the violent ſtorms of hail and ſnow have done very conſiderable damage in this part of Germany, particularly in the provinces of Thuringia and Upper Luſatia: by which great numbers of cattle have been deſtroyed. By an accidental fire which happened at the ſame time, the village of Bodeniz near Keſſelſdorff has greatly ſuffered." *Lond. g.*

"*Vienna, April* 30. The plan ſome time ſince preſented for regulating the Greek biſhops in Hungary, has been adopted. Theſe prelates, beſides their ordinary revenue, had formerly a right to impoſe a tribute on the prieſts of their reſpective dioceſes: for the future they are no longer to enjoy that privilege, which was liable to abuſe; but, inſtead of it, a certain ſum is to be granted them, which is to be allotted in proportion to the extenſiveneſs of their reſpective dioceſes. A retrenchment has alſo been made in the number of feſtivals, which are now reduced to eighteen; ſo that, including Sundays, there are no more than ſeventy days conſecrated to reſt, which formerly amounted to 182. By the above wiſe regulation, 112 days labour are annually added to buſineſs and agriculture."

SWITZERLAND.

"*Bern, April* 19. On the 17th early in the morning there was felt here a moſt violent earthquake, accompanied with violent thunder, the former of which laſted four or five ſeconds, in which all the turrets and chimnies in the place were thrown down."

UNITED PROVINCES.

"*Hague, May* 24. The Viſcount de Hereria, miniſter from the court of Madrid, has lately made a formal complaint to the States-General of the behaviour of the crew of the Dutch man of war, the Jaſon, whilſt at Malaga, from whence they enticed ſeveral Spaniſh ſailors on board their ſhip; that the Governor of Malaga remonſtrated againſt this behaviour, and demanded the men to be given up, but all to no purpoſe; and hearing that they intended to repeat the ſame thing, he laid a ſcheme to watch their motions, and ſucceeded ſo well, that he found means to ſeize upon ten of the parties concerned, together with ſome of the people they had enticed, and ſent them to priſon; of all which the Governor ſent an account to the King his maſter, who ordered the Viſcount Hereria to ſeek redreſs of the States-General, for an inſult ſo inconſiſtent with the good underſtanding that ſubſiſts between the two courts; and if due ſatisfaction is not made, the perſons taken up will be ſent to work in the mines of Peru. The States-General have ordered due inquiry to be made into this affair as ſoon as ever the Jaſon arrives, which ſhip is now upon her return home."

FRANCE.

Lewis XV. King of France, died, at his palace of Verſailles, May 10. between two and three o'clock in the afternoon, of the ſmall pox, in the 64th year of his age, and the 59th of his reign. Upon the

the captain of the guard's announcing the death of the King, and the advancement of the Dauphin to the throne, the news was received by the people with loud acclamations of "Long live the King."

After the late King's death, the Princes and Princeſſes of the Blood, &c. had the honour to pay their homage to the King Lewis XVI. and to the Queen.

The preſent King is grandſon to the late King, is named Louis Auguſtus, was born Auguſt 23. 1754, and married Maria Antonietta, of Auſtria, May 16. 1770. —His brothers and ſiſters are, Louis Staniſlaus Xavier, Count de Provence, born Nov. 17. 1755; married May 14. 1771, to Princeſs Maria Joſepha Louiſa, daughter of the Duke of Savoy, and grand-daughter of the late King of Sardinia.—Charles Philip, Count d'Artois, born Oct. 9. 1757; married to another daughter of the King of Sardinia.—Maria Adelaide Clotilda Xaveria, born Sept. 23. 1759.—And Eliſabeth Philippa Maria Helena, born May 3. 1764.

Madam de Barré, the late King's favourite, who by her intrigues had ſo much influence in the French councils, it might naturally be ſuppoſed would loſe it upon this occaſion. His preſent Majeſty hath confined her, it is ſaid, to the convent of Pont-au-Dames, hath ſtripped her of all her poſſeſſions, and left her only 12,000 livres per annum. Thoſe who have obtained their offices at court through her influence, are either diſmiſſed, or do not meet with a cordial reception; and ſome of her female friends have been exiled. But the Count de Maurepas, formerly miniſter of the marine, who was baniſhed from the court twenty-three years ago, hath been ſent for by his Majeſty. In the papers of the late Dauphin, which were not to be delivered to the King till he came to the throne, M. de Maurepas is indicated as poſſeſſing ſuperior abilities for the office of Counſellor.—The following is the letter ſent by the King for his recall. "Amid the juſt ſorrow which overwhelms me, in common with the whole kingdom, I have ſome important duties to diſcharge: I am a King;—this name comprifes many obligations; but I am only twenty years of age, and do not yet poſſeſs the knowledge which is neceſſary for me. I cannot confer with the miniſters who have attended the late King during his illneſs. The certainty which I have of your probity, and of your knowledge in public affairs, engages me to requeſt that you will give me your counſel. Come then to me as ſoon as poſſible."—The other perſons who ſeem to be poſſeſſed of the good graces of his Majeſty, and whom he is ſaid to have choſen for his council of regency, are the Dukes of Orleans and Nivernois, and the Count de Muy.

During the King's illneſs, the Dauphin, as he never had the ſmall pox, was not permitted to approach him. But their Royal Highneſſes Meſdames Adelaide, Sophie, and Victoire, his three daughters, though in the ſame predicament, almoſt conſtantly attended him. A few days after their father's death, therefore, they were all ſeized with the ſmall pox; but as the ſymptoms have proved favourable, there is great reaſon to expect their recovery.

By a letter from Baſtia, in Corſica, dated April 25. we are informed, that two battallions of French had arrived there from Provence, which were to be followed by four others. A great number of banditti, it ſeems, had lately ſurpriſed and attacked a piquet of 150 French troops, who eſcorted to Corte ſome money raiſed in the diſtricts of Roſtino and Niolo; they murdered ſeveral of them, and ſecured upwards of twenty. The reſt had the good fortune to eſcape, but were obliged to leave their treaſure behind them. Another French piquet was diſperſed about the ſame time at Calenzana. All theſe hoſtilities engaged the French commandant to march ſome companies to the lurking places of theſe banditti, in order to extirpate them.

"*Paris, May* 21. The 19th of laſt month, at half an hour after ſeven in the evening, the village of Monneſtier, which is about two leagues from Briançon, took fire, and the wind, which was north, carried the flames from one end of the town to the other, which in about two hours conſumed 270 houſes. The inhabitants had ſcarce time to ſave their lives; their effects, furniture, and cattle, were all conſumed."

"*Extract of a letter from France, dated May* 15. We have had ſome very terrible ſtorms which have done conſiderable damage; one in particular, at Joncleville, in Campaign, where hailſtones of a prodigious ſize fell: 22 horned cattle, with eight hogs, all the goats that were expoſed to the ſtorm, with the dogs that watched them, were killed by the hailſtones;

ſtones; the ſhepherds ſon, a lad of ſixteen years of age, was ſtruck dead: the father, with ſome difficulty, retired to a thick wood, but ſo much hurt that it is thought he cannot long ſurvive."

ITALY.

"*Naples, April* 12. In order to relieve the ſenate of Palermo from the burdens with which it is oppreſſed, and to give to the government of that capital of Sicily a better and more convenient form, the King hath nominated a deputation compoſed of ſix perſons well qualified, of that country, who are now at this court. They are to aſſemble at the Prince de Campo-Reale's, Joint Preſident of Sicily, to confer and agree with him on the moſt proper meaſures for attaining the end propoſed, and communicate them to his Majeſty. In the mean time neceſſary orders are diſpatched for aſſembling the triennial parliament of the iſland in the town of Cefalu."

"*London, May* 21. The Flanders mail, which arrived this day, mentions, that on the 17th ult. a ſort of commotion happened at Palermo, occaſioned by a quarrel between a ſoldier and a peaſant, at a public houſe, who were both taken into cuſtody by the patrole; but the populace aſſembled, ſeiſed on the patrole, diſarmed, confined him, and carried off the peaſant. The ſoldiery were preparing to attack the inſurgents; but the ſenate ordered the burghers to reſtore the patrole, which was done. The ringleaders of the riot were ſeized, whom the commandant of the army ordered to be whipt, and condemned to the gallies."

"*Rome, April* 22. As repeated applications have been made by the princes and ſtates of Italy, to the Pope, to aboliſh the ſeveral orders of monks, and as thoſe applications have been ſtrongly enforced by the Roman-Catholic princes of Europe, his Holineſs has at laſt thought proper to comply with them, and will ſoon iſſue an edict for the ſuppreſſion of all monks throughout Italy. The religious houſes are conſiderably leſſened, eſpecially in the kingdom of Naples, and in the Pope's own dominions."

BRITISH NORTH AMERICA.

The ill humour of the Americans [157.] is far from ſubſiding.

"*Extract of a letter from a gentleman in Charleſtown to his friend in New York, March* 18. I am with you truly ſorry that our Sons of Liberty have fallen ſhort of their reſolutions reſpecting the re-exportation of the Eaſt-India company's tea. I fancy they did not recollect, that it would be liable to a ſeizure, after the twenty days expired, in order to ſecure the duty. It is now ſweating in one of the vaults under our exchange: and though our people may not have it in their power to offer it as a burnt-offering, the proprietors or crown may not be advantaged by this fineſſe, as the tea will in a little time be worth ſcarcely any thing; for I am told that one of the officers, who lately viſited its abode, declared, that there appeared ſuch a dampneſs amongſt the cheſts as muſt ſoon ruin it. Whether this wet has been artificially conveyed, time only can diſcover."

"*Boſton, March* 30. A few days ago arrived here from London, Capt. Gorham, in the brig Fortune, owned here, having on board 28 cheſts and an half of the India company's tea, conſigned to ſundry perſons in this town.—The owners have publiſhed the following account, viz. That they gave expreſs orders to their correſpondents in London, that none of the Eaſt-India company's tea ſhould on any terms be ſhipped on board the ſaid veſſel, however advantageous the freight, or great the loſs on the voyage: That on the veſſel's arrival at Boſton, they, the owners, freely and publicly declared their willingneſs to ſend her back, loaded as ſhe was, to London, and run the riſk of her being ſeized; but that many of the goods on board being much wanted in Boſton, it was propoſed to take thoſe out, and take the tea only back in the veſſel; that ſhe was accordingly reported at the cuſtomhouſe, and a permit obtained for landing all the goods except the tea; but that notwithſtanding all that could be ſaid to the cuſtomhouſe-officers, they abſolutely refuſed to furniſh the papers neceſſary to authoriſe her return with the tea on board. This determination being publicly known ſoon after, a number of men, having the appearance of Indians, entered the veſſel, took out the tea, emptied every cheſt overboard, and effectually deſtroyed the whole; after which they peaceably retired, without doing any further damage." [217.]

The Americans, exulting perhaps on the victory they imagine they have gained over the Britiſh parliament in the tea-affair,

affair, ſeem to be meditating further oppoſition to the acts of that body.

The Boſton Evening Poſt of March 21. contains the following letter from a gentleman at New York to his friend at Boſton, dated Feb. 28. "Our friend Mr Goddard, (printer in Philadelphia and at Baltimore, the bearer of this, is to leave town in a few hours for your place, on a matter of the utmoſt importance to the liberties of this country, viz. an entire abolition of the illegal and oppreſſive poſt-office act [xxvii. 674.]. A provincial-ſubſcription poſt is already eſtabliſhed between Philadelphia and Baltimore, in Maryland, ſupported by the moſt eminent merchants and other gentlemen in thoſe places. Our committee of correſpondence writes to your committee on the ſubject, recommending in the ſtrongeſt terms the propoſals which Mr Goddard has to make, and our earneſt deſires to co-operate with you, and the reſt of the friends of juſt government, in carrying this plan into immediate execution. From the information which Mr Goddard will give you, I think you will be convinced, that, now or never, is the time; at leaſt that ſo favourable an opportunity will hardly offer as the preſent. The friends of liberty in the ſouthern colonies, particularly Penſylvania, Maryland, and Virginia, you may depend will eſtabliſh riders, upon the new plan, throughout thoſe provinces, as ſoon as they obtain information of the concurrence and approbation of the town of Boſton; and will do every thing in their power to extend them to the moſt eaſtern colonies immediately. That it will meet with the warmeſt approbation of the truly patriotic Boſtonians, I cannot entertain the leaſt doubt."

"*Boſton, April* 25. Wedneſday laſt arrived in this town from the eaſtward, Mr William Goddard; by whom letters are received from the committees of correſpondence of Portſmouth, Newbury, Newbury-port, Salem, &c. expreſſive of the hearty concurrence of the gentlemen in theſe towns with the propoſal of erecting a poſt-office upon conſtitutional principles, throughout this continent. Subſcriptions are ſet on foot in each of them, and they have already ſucceeded beyond the moſt ſanguine expectation in all.— The removal of Dr Franklin from the poſt-office has added freſh ſpirit to the promoters of this ſalutary plan, as ſeveral viewed an oppoſition to his intereſt, at a time when he had ſignally ſerved the cauſe of America, as a very diſagreeable object; but all reluctance from that quarter muſt now vaniſh, and all the friends of liberty rejoice, that they have now an opportunity of taking up a gentleman diſcarded by an unrighteous miniſtry for the faithful diſcharge of his duty, and placing him above a dependence on their caprice, in the grateful arms of his applauding countrymen." —— The Maſſachuſet's-bay petition, for the removal of their Governor and Lieutenant-Governor [25.], was diſmiſſed by the privy council on the 29th of January; and about the ſame time Dr Franklin was diſplaced from his office of deputy poſtmaſter-general for the colonies.

The humanity of the Georgian aſſembly does them honour.

"*Georgia, Hutch* 2. A memorial of about fifty perſons lately arrived in the ſhip Eliſabeth from the north of Ireland, intending to go to the Iriſh ſettlements in and about Queenſborough, in this province, was preſented to the general aſſembly, ſetting forth, That by reaſon of the preſent diſputes with the Indians, thoſe ſettlements were deſerted by the inhabitants; by which the petitioners were diſappointed; and being poor and indigent in their circumſtances, and out of employment, they prayed relief of the houſe. This petition was immediately taken into conſideration, and proviſion made for their relief. After an inquiry into their circumſtances, 80 l. was ordered, to convey them to the place of their intended ſettlement, provide them with tools, and ſupport them for a ſhort time with proviſions and neceſſaries."

We have already mentioned the miſerable fate of ſome emigrants from Sutherland [157.]. That theſe unhappy people have loſt their lives through miſconduct ſeems to be evident, but to whom that miſconduct ought to be imputed, we ſhall not pretend to determine.—— In the New-York Journal there is a letter to the publiſher, from Mr George Smith, maſter of the brig Nancy, that carried them to New York, dated, *Wilmington, Cape Fear, Feb.* 16. in which Capt. Smith ſays, the whole quantity of proviſions put on board by his owner, Mr William Parker of Leith, was, for the paſſengers, oat-meal 135, peaſe-meal 62, biſcuit 10, beef 10, cheeſe 6, and whole peaſe 2 C. wt.; and for the ſhip's company, beef 6, bread 6, and whole peaſe

peaſe 4 C. wt. and 60 lb butter, and 1 barrel flour; which, from ſad experience during the voyage, twelve weeks, the time they were from the Orkneys before arriving at New York, he acknowledges was not ſufficient for half the number of ſouls on board; that ſhould it be aſked, Why he proceeded? he anſwers, If he would not, others would; but that he relied more on the owner's œconomy than on his own, he having declared, that in a former adventure of the kind, he had put but an equal quantity of proviſions on board, though the number of paſſengers was greater; that with reſpect to cruel uſage, he ſolemnly declares, he never ſaw man, woman, or child, ſtruck, and never heard a complaint from them againſt his people; and that he cannot believe any of the ſurvivors drew up the account publiſhed, as the few that remained alive, always condoled with each other, but did not exaggerate their misfortunes. —— Mr Parker, in his own vindication, in the Caledonian Mercury, dated May 30. ſays, that having been applied to for a veſſel to carry ſome emigrants to America, he accordingly procured one. The terms of agreement were, half the freight to be paid at the port of outfit, againſt the 27th of July, and the remainder, either in caſh or negotiable bills, at the time the people were put on board in the highlands. But as no part of the ſum was paid at that time, the veſſel was detained till the beginning of September, and obliged to ſail at laſt with not one half of the ſtipulated ſum actually paid. This was laid out to procure as much wholeſome food as it could poſſibly extend to, in order to accommodate as many of theſe poor people as were in readineſs to go, though the quantity of proviſions was not near ſo great, nor of the kinds they would have been, had the terms of agreement been obſerved. — "On the arrival of the veſſel in the Highlands, ſays he, from the unhappy ſituation of things there, more were ready to go than the veſſel could contain; therefore the uſual quantity of proviſions and water was reſerved for the ſhip's crew, and all the reſt was ſet aſide for the people, who had each article wrote down that was on board for them. And after its being fully explained to them in their own language, by a perſon whom they choſe from amongſt themſelves for that purpoſe, both the kind and the weight it would be to each per week, for the uſual paſſage of two months, or at the utmoſt of three months, as per agreement, ſo many as accepted of it went, and thoſe who choſe not to go, had their money returned to them without any heſitation; therefore they were all perfectly at the freedom of their own will. And to prevent, as much as poſſible, any diſpute or miſunderſtanding betwixt the paſſengers and the ſhip's crew, about their ſeparate proportion, the maſter ſigned the liſt of proviſions and water ſet aſide for the uſe of the paſſengers, and gave up to this perſon who they choſe from amongſt themſelves, the entire management of every thing that concerned them, as well to proportion each one's ſhare, as to ſee they had what belonged to them all; ſo that the maſter had nothing elſe to do, but navigate the veſſel, and mind his own crew. How they afterwards diſagreed, or deviated from the rule preſcribed by each, (when bad weather came on, and they turned ſickly, owing to a very tedious and ſtormy paſſage, which prevented their opening the hatches to give them freſh air), it is impoſſible for me to ſay, nor how the maſter ſhould endeavour to exculpate himſelf from any cauſe of complaint that he may have given them, by turning it upon me; when not only he, but they, knew as well before they ſailed, as they do now, every thing that regarded them, except the weather they might have, and the length of the paſſage, both which, no doubt, were uncommonly bad." A *Nota bene* is ſubjoined, intimating, that the names of the parties in Edinburgh who miſapplied the money are left with the printer.

British West Indies.

"*Kingſton, Jamaica, Feb.* 19. Sir Baſil Keith, Governor of this iſland, was on Sunday laſt pleaſed to give his aſſent to the following, among other laws.

An act for granting an additional ſalary to his Excellency Sir Baſil Keith, Governor and Commander in Chief of this Iſland, during his adminiſtration.

An act for laying an additional duty on all Negroes imported into this iſland.

An act further to oblige the ſeveral inhabitants of this iſland to provide themſelves with a ſufficient number of white men and women, and white children, in this preſent year 1774.

After which his Excellency prorogued the aſſembly till the 22d of March.

"*St*

"*St Vincent, March* 1774. On our Governor's arrival here from the Grenades, his Excellency went into the Charibb country, and ordered the Charibbs to meet him. A number of them came, to the amount of about 200: the Governor was accompanied by the Council of the iſland, and moſt of the principal inhabitants. The Governor told the Charibbs, that he had heard of a deſign they had formed, not to abandon the lands they had by the late treaty [xxxv. 175.] engaged to relinquiſh; that it ſeemed extraordinary, after the indulgence granted them, they could entertain ſuch an idea; and having already experienced the fatal conſequences of their diſobedience to his Majeſty's commands, they ought carefully to avoid incurring his royal diſpleaſure a ſecond time: That his Excellency was now come to St Vincent's with a firm reſolution to carry that part of the treaty into execution, and oblige them to quit the lands they ſtill continue to occupy. This part of his Excellency's ſpeech ſeemed to have weight with the Charibbs, and he gave them eight days time to remove their live and dead ſtock, furniture, &c. at the expiration of which they were to expect that their buildings, and what elſe remained on the premiſſes, would be deſtroyed. Orders were given accordingly; and, at the end of the time preſcribed, their cottages and huts were demoliſhed without the leaſt diſturbance, the Charibbs having retired to that part of the iſland allotted them by the treaty; by which means the iſland is in a greater ſtate of ſecurity at preſent, than it has been ever ſince the late commotions. This event was not leſs agreeable than unexpected to the inhabitants of St Vincent; who, on this happy occaſion, preſented an addreſs of thanks to his Excellency."

ENGLAND.

The royal aſſent was given to the following bills:

To theſe, by commiſſion, May 5. viz.

An act to enable the Governor and Company of the Bank of Scotland to increaſe the capital ſtock of the ſaid company.

An act for granting further time to the united company of merchants of England trading to the Eaſt Indies, to expoſe to ſale the Singlo and Bohea teas remaining in their warehouſes unſold on the 5th day of April 1774; and for allowing the draubacks on the exportation of ſuch teas.

An act to allow the exportation of a limited quantity of wheat-meal, or flour, oats, oat-meal, grotts, barley, peaſe, beans, malt, and biſcuit, to Hudſon's bay, in North America, for the benefit of the Hudſon's-bay company, and their ſervants reſiding there.

An act for the more effectual preventing frauds and embezzlements by perſons employed in the woollen manufactory.

An act for allowing further time for inrollment of deeds and wills made by Papiſts; and for relief of Proteſtant purchaſers.

Thirteen bills concerning matters of police; — of which five relate to Scotland, viz.

An act to continue an act 22° Geo. II. *for laying a duty of two pennies Scots, upon every Scots pint of ale and beer, which ſhall be brewed for ſale, brought into, tapped, or ſold, within the town of Kinghorn, and liberties thereof.*

An act for explaining and amending an act 32° Geo. II. *for improving the navigation of the river Clyde, to the city of Glaſgow, and for building a bridge acroſs the ſaid river, from the ſaid city, to the village of Gorbells; and part of another act* 8° Geo III. *for explaining and amending the ſaid act; and for repairing, widening, and enlarging, the old bridge acroſs the river of Clyde, from the city of Glaſgow, to the village of Gorbells.*

An act to enlarge the terms and powers of two acts 26° *and* 27° Geo. II. *for repairing ſeveral roads leading into the city of Glaſgow, ſo far as the ſame relate to the road leading from the ſaid city of Glaſgow, through Cowcaddens, to that part of the water of Kelvine, called the Milnford of Garſcube.*

An act for repairing the highways and bridges in the county of Fife.

An act to continue the terms of two acts 26° & 27° Geo. II. *for repairing ſeveral roads leading into the city of Glaſgow, ſo far as the ſame relate to the roads from the city of Glaſgow, to Yocker bridge, to Renfrew bridge, to the Three-Mile Houſe, to the town of Airdrie, and from the village of Gorbells, to the chapel of Cambuſlang, in the counties of Lanerk and Renfrew.*

And twenty three private bills; — only one of which relates to Scotland, viz.

An act for veſting in John Earl of Breadalbane, and his heirs, in fee-ſimple, certain lands, part of his eſtate in the county of Argyle; and for ſettling, in lieu thereof, other lands lying contiguous to, and interſperſed with, the ſaid entailed eſtate.

And to theſe, by the King, May 20. viz.

An act for the better regulating the government of the province of the Maſſachuſet's-bay in New England.

An act for the impartial adminiſtration of juſtice, in the caſes of perſons queſtioned for acts done by them in the execution of the law, or for the ſuppreſſion of riots and tumults, in the province of the Maſſachuſet's-bay, in New England.

An act to prohibit the importation of light ſilver coin of this realm, from foreign countries, into Great Britain or Ireland; and to reſtrain the tender thereof beyond a certain ſum.

An act to indemnify ſuch perſons as have omitted to qualify themſelves for offices and employments; and to indemnify juſtices of the peace, or others, who have omitted to regiſter or deliver in their qualifications within the time limited by law, and for giving further time for thoſe purpoſes; and to indemnify members and officers, in cities, corporations, and borough-towns, whoſe admiſſions have been omitted to be ſtamped, according to law, or having been ſtamped, have been loſt or miſlaid, and for allowing them time to provide admiſſions duly ſtamped; and to give further time to ſuch perſons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and ſolicitors.

An act for regulating inſurances upon lives; and for prohibiting all ſuch inſurances, except in caſes where the perſons inſuring ſhall have an intereſt in the life or death of the perſons inſured.

An act for further continuing ſo much of two acts, 6° & 13° Geo. III. as relates to the opening and eſtabliſhing certain free ports in the iſland of Jamaica.

An act to amend an act 22° Geo. II. "for the more effectual preventing of frauds and abuſes committed by perſons employed in the manufacture of hats, and in the woollen, linen, fuſtian, cotton, iron, leather, fur, hemp, flax, mohair, and ſilk, manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hatpreſſers, and of all perſons employed in the ſaid manufactures; and for the better payment of their wages."

An act for regulating mad-houſes.

An act to explain and amend an act 13° Geo. III. "to explain, amend, and reduce into one act of parliament, the general laws now in being, for regulating the turnpike-roads in that part of Great Britain called England, and for other purpoſes," ſo far as the ſame relates to the continuing and granting an additional term of five years to acts made for amending turnpike-roads.

Eighteen bills concerning matters of police; — none of which relate to Scotland, except one, viz.

An act to enlarge the term of an act 7° Geo. III. for repairing and widening ſeveral roads leading from the town of Ayr, and other roads therein mentioned, in the county of Ayr; and for repairing and widening certain other roads within the ſaid county of Ayr.

And twenty-four private bills, none of which relate to Scotland.

On Saturday, May 7. the Duke and Ducheſs of Cumberland arrived at Windſor-lodge from their tour in Italy, &c. [xxxv. 495.] having had very great attention paid them at all places, eſpecially at Rome.

On the 27th of April ſailed, from Portſmouth, the 43d regiment for Boſton, and the 4th regiment for Quebec; and on the 9th of May ſailed, from Cork, the 5th and 38th regiments, for Boſton.

At a court of the proprietors of Eaſt-India ſtock, April 28. Gen. Richard Smith moved, That the court ſhould return thanks to Gen. Joſeph Smyth, for his gallant behaviour in the attack and capture of Tanjour in the Eaſt Indies [158.]. He was ſeconded by Mr Arme. The motion was ſtrongly oppoſed by Gov. Johnſtone, Mr Fitzgerald, and a few others: ſome condemned the meaſure, though they approved of the manner it was executed; others ſeemed willing to return general thanks, or to barely confine it to the capture of Tanjour alone; while a third ſeemed inclined to declare their approbation of his military conduct, but cenſured his giving up the Rajah, who had thrown himſelf under his protection, to the Nabob's ſecond ſon, with whom, if living, he was now a priſoner at Trichinopoly. This of courſe gave riſe to a general ſcrutiny into his conduct in his military and civil character, as commander in chief, and one of the council; and ſeveral direct, as well as oblique charges againſt him, having fallen in the courſe of the debate, a compromiſe took place with conſent of all parties, that the motion ſhould lie over till ſome further accounts ſhall be received from that country.

When Sir Robert Fletcher related ſome of the facts, relative to the ſlaughter of the inhabitants of Marrawa, by a detatchment from the army commanded by Gen. Joſeph Smyth, but under the immediate direction of Colonel Bonjour, ſeveral of the proprietors quitted the court, and the ſtrongeſt marks of a mixture of horror, pity, and amazement, were viſible in the countenances of thoſe who

who ſtaid to hear that ſhocking narrative. The ſtory related by Sir Robert Fletcher was in ſubſtance as follows.--Gen. Smyth having marched at the head of the Britiſh troops, in conjunction with one of the Nabobs, againſt a Rajah of that country, the latter ſent a meſſenger with certain offers or conditions, which were accepted of by the former. The meſſenger accordingly returned to the Rajah, and informed him of the ſucceſs of his embaſſy. Relying on this aſſurance, the Rajah called in his advanced poſts, all thoughts of hoſtilities were laid aſide, and he looked upon himſelf in the moſt peaceful ſecurity. In the mean time Col. Bonjour advanced with his detachment, and ſurpriſed the Prince and his army, who were conſequently unprepared, and put every one of them to the ſword without diſtinction, except the unhappy princeſſes, daughters of the Rajah, who were preſerved only to gratify the brutal luſts of the inhuman butcher and raviſher, the Nabob. He added, that the officers concerned in this bloody buſineſs had extorted a previous promiſe from the Nabob's ſon, that if they ſhould happen to be ſucceſsful in this enterpriſe, he was to give them a largeſs of 50,000 pagodas, worth about 24,000l.; but being afterwards unwilling to comply with this agreement, for the faithful performance of which he had given a bond, the General being appealed to as to its equity, confirmed the agreement, and decided in favour of the officers. Gen. Smith did not attempt to defend his namefake's deciſion; but ſaid, the maſſacre was occaſioned by miſtake, the courier diſpatched to Col. Bonjour not arriving time enough to advertiſe him of the armiſtice: as to the deflowering the daughters of the Rajah, he ſaid, that was a claim eſtabliſhed by the uſages of the Eaſt; that the Nabob has a right to the perſons of the daughters of his tributaries, or ſubordinate princes, from the Great Mogul downwards.

At a court, May 19. Gen. Richard Smith, after prefacing his intent with a declaratory wiſh, that the character and conduct of his friend might be inquired into with impartiality, and cenſured or approved as the evidence reſulting from authenticated facts ſhould afford ſcope for cenſure or approbation, moved, as a queſtion, Whether the conduct of Gen. Joſeph Smyth, as an officer in the company's ſervice, had been ſuch as to deſerve the cenſure of that Honourable Court? After ſome trifling altercation, the court reſolved unanimouſly, "That General Joſeph Smyth's conduct as an officer, had not been ſuch as to deſerve cenſure."

Gen. Richard Smith then, profeſſing himſelf warmly attached to the intereſt of his abſent friend, and anxious to clear his character from the ſlighteſt imputation, obſerved, That to determine a brave and experienced officer's conduct, barely not deſerving of cenſure, was not ſufficient exculpation in the eye of military juſtice; the clearance of aſperſion muſt go farther; it muſt determine General Joſeph Smyth, not merely undeſerving of cenſure, but meriting applauſe; for between negative innocence and poſitive merit, the line was conſiderable. Gen. Richard Smith therefore moved, "That the thanks of the court ſhould be returned to General Joſeph Smyth."

In this motion he was ſeconded by Mr Orme; but oppoſed by Mr Mackworth, who deſired, that a letter from Gen. Joſeph Smyth, addreſſed to the Preſidency of Madraſs, and thence tranſmitted to the directors, might be read. Which being complied with, Mr Mackworth, from a copy he held in his hand, argued, That ſo far from thanks, the cenſure, if not execration, of the court, ſhould fall on General Joſeph Smyth; that the plunder of Tanjour, the murder of the Rajah, the impriſonment of his daughters, the defilement, by violence, committed on them by the Nabob, (who afterwards confined them with the reſt of his women in his harem or ſeraglio), the infraction of the treaty which expreſsly provided againſt the plunder of Tanjour, the ſtipulation with the Nabob, and non-performance of articles on which that ſtipulation was founded; all theſe, and a variety of other particulars, admitted, though palliated, in Gen. Joſeph Smyth's own letter, would juſtify, Mr Mackworth ſaid, the harſheſt cenſure being paſſed on any man's conduct, who, from his ſtation of commander in chief, ſhould connive at, if not abet, meaſures ſo repugnant to the faith of treaty, ſo debaſing to military honour, ſo abhorrent to the rights of nature, and oppoſite to the fundamental dictates of humanity.

To this it was replied, That the plunder of Tanjour happened by miſtake, the agreement to abſtain from that plunder not being properly announced to the

ſeveral officers. For the murder of the Rajah, and the rapes committed on his daughters by the Nabob, no excuſe was alledged but Aſiatic cuſtom

On the whole, General Joſeph Smyth was entirely exculpated from every charge reflecting on his military character or conduct. Sir Robert Fletcher, melted with tenderneſs, had nothing to allege againſt him; and thus, purged from every ſuppoſed criminality by the mediatorial good offices of his friends, a general court held at the India Houſe, in Leadenhall ſtreet, on Thurſday, May 29. 1774. Reſolved, "That the military conduct of General Joſeph Smyth deſerved the thanks of a general court," compoſed of Engliſhmen.

The amount of the national debt, as it ſtood at the commencement of this year, was fixed at 128,524,332 l. 7 s. 1 d. The annual intereſt on it is 4,543,212 l. 4 s. 3 d.

"*London, April* 30. A Noble Peer went to Lord North laſt week, and after much converſation, bid him take care how he walked, and to be very cautious, as he was ſurrounded with enemies who hated and envied him, naming B—e, B——e, &c. and all the Americans. Lord North coolly anſwered, "My Lord, I took the helm in a very hard gale of wind, determined to ſteer this country through every difficulty as far as poſſibly I could, at the hazard of my life, and the deſtruction of the ſweet ſociety of family and friends. As to your B—s and B——s, it is well known they and their maſters both have often made offers of ſerving under me; but they cannot be truſted: I hold them in contempt: and as to the Americans, I mean nothing but what is fair; they ſhall not ſmuggle the goods of every other country, and be of no ſervice to this country, which has protected them at the expence of ſo much blood and treaſure."

"*London, April* 28. A new regulation will ſoon take place, by order of the board of Green Cloth, by which no perſon reſiding in the verge of the court ſhall be ſecured hereafter from paying his juſt debts therein after the expiration of one year; and no perſon to be ſecured therein, unleſs his debt exceed 50 l. which now is no more than 30 l."

The elegant and ſuperb manſion at Roehampton, lately in the poſſeſſion of Alexander Lindſey, Eſq; [xxxiv. 529.], with 340 acres of land, was ſold by auction, May 28. to Mr Coghlan, merchant in London, for 20,100 l.

The decree of the court of ſeſſion in favour of the Counteſs of Rothes, againſt the Hon. Andrew Leſlie [165.], was, on an appeal, affirmed by the Houſe of Peers, May 10.

On Sunday, May 29. at a chapel in Weſtminſter, the prayers of the congregation were deſired for a parent who was almoſt diſtracted, having had a daughter, under twelve years of age, ſeduced by a great man.

On Monday, May 30. Mr Moore's new-conſtructed machine to go without horſes, went along the Strand, with one paſſenger in it, at a rapid rate.

"*York, May* 3. On Tueſday ſe'nnight, at a numerous meeting of the merchants, woolſtaplers, and manufacturers of woollen goods, in Leeds and that neighbourhood, it was unanimouſly reſolved, that application be made to parliament next winter, to obtain an act for the following purpoſes, viz. 1. That all woolgrowers in G. Britain ſhall be obliged to clip off their pitch-mark or brand, with whatever hangs to the wool that contributes to its weight, before they ſhear their ſheep, or expoſe the wool to ſale; or be ſubject to the penalty of 1 s. per fleece. 2. That all jobbers, or buyers and venders of wool in the fleece, ſhall be ſubject to the ſame penalties as the wool growers. 3. That all woolſtaplers, ſorters of wool, and fellmongers, ſhall be obliged to clip off the pitch-mark or brand, and clean their wool from all kinds of dirt, or forfeit 20 s. a-pack. 4. That a clauſe be inſerted in the act, That all growers of wool ſhall have liberty to mix tar with butter or greaſe, to be applied by way of ſalve. The penalties inflicted by the laws now in force for the falſe winding of fleeces being inadequate to the crime, and the recovery of them very expenſive, it was alſo reſolved to petition for an amendment of the ſaid laws, that the forfeitures be conſiderably augmented, and more eaſily obtained."

A letter from a gentleman in London to his friend in Edinburgh.

Mr Rymer, in his *Fœdera, Conventiones, &c. Angliæ*, tom. 6. p. 18. having mentioned, *temp.* Ed. III. anno 1357, a writ to the Abbot and Convent of Weſtminſter, *de coaptandis circa corpus Edwardi I.* prompted ſome members of the

Antiquarian

Antiquarian ſociety to view the royal corpſe. Having obtained leave of the Dean, they aſſiſted at opening the large marble cheſt, May 2. 1774, in which lay a yellow ſtone coffin, whoſe lid was kept down only by its own weight. On lifting this up, the royal body was found in perfect preſervation, wrapt up in three or four coverings: the outmoſt was of coarſe cloth, the next cloth of gold, ſtrongly waxed, and as freſh as if lately done, which ſeems to be what was intended by the writ.

The corpſe was clothed in a rich crimſon ſilk mantle, paned with white, having at the interſection of the panings gilt ornaments of the form of a roſe, or rather cinquefoil of chaſed work, ſtudded with red and blue ſtones and pearls: two of them larger, and ſomewhat different, lay on that part which fell over the hands. The mantle was faſtened on the right ſhoulder with a ſuperb fibula or brotch * of the ſame metal, adorned with twenty-two red and blue ſtones, beſides many pearls, and faſtened by an acus or tongue, headed with a fine ſapphire, and ſcrewed into three joints.

The face was covered with fine linen, reduced to lint, forming a maſk, exactly exhibiting the features, which were like tanned leather: the eyes moveable in the ſockets, the noſe ſhort and ſmall, the upper lip prominent, the chin firm. Under the jaws a quantity of black duſt (either of fleſh or ſpices); the hands only ſkin and bones, without nails; the right held a gilt metal ſceptre ſurmounted by a croſs fleuri; the left another, ſurmounted by three cluſters of leaves, and a dove. The head was girt with a crown fleuri of the ſame metal; above which was felt the ſcull. The feet were wrapt up in the cloth, but the toes might be diſtinctly felt; and the ſoles and the heels were prominent and fleſhy. The length of the whole corpſe was ſix feet two inches. After this particular and minute view and obſervations, the whole was moſt carefully reinſtated, and cloſed down more firmly than before.

It is hoped the public will be obliged with a more particular account of this amazing preſervation by that learned ſociety: but the curious may conſult in the mean time, for a view of his family, life, ſeats, tomb, inſcription, &c. with his Queen's, from p. 119. to p. 144. of *Sandford's Genealogical hiſtory of the Kings and Queens of England, &c. by Stebbing, London*, 1707, *fol.*

* Theſe are uſually worn in the Highlands of Scotland, and appear to be of great antiquity, probably borrowed from the Romans.

SCOTLAND.

The general aſſembly of the church of Scotland met, at Edinburgh, on Thurſday, May 19. [xxxv. 277.]. Dr John Dryſdale, one of the miniſters of Edinburgh, moderator of the preceding aſſembly, preached a ſermon, as uſual, at the opening of the aſſembly, from Matth. vii. 1. in the High church, before the King's commiſſioner, Charles Lord Cathcart: after which the aſſembly convened; and having put Dr Robert Henry, one of the miniſters of Edinburgh, and Dr Alexander Gerard, profeſſor of divinity in the univerſity of Aberdeen, on the leet for moderator, the former was choſen, and took the chair.

On report of a committee, May 20. the following miniſters were appointed to lecture and preach in the forenoon, and to preach in the afternoon, before the Commiſſioner, viz. Mr James Forreſter at Anſtruther-Weſter, in the forenoon, and Mr John Cheeſly at Corſtorphin in the afternoon, of Sunday, May 22.; and Mr George Campbell in Cupar of Fife in the forenoon, and Mr John Graham at Dunlop in the afternoon, of Sunday, May 29.—But Mr Graham being obliged to go out of town, ſent a letter on the 26th, begging excuſe; and Mr George Duncan at Lochratten was appointed to preach in his ſtead.

A motion was made, May 21. to addreſs the King on the birth of a prince [111.]; which was unanimouſly agreed to, and a committee was appointed to draw up the addreſs. A draught of it was preſented on the 23d, and read; and after ſome ſmall alteration, was approved of, and ſubſcribed by the moderator. At the aſſembly's deſire, the Commiſſioner undertook to tranſmit it. His Grace having accordingly tranſmitted the addreſs to the Earl of Suffolk, one of the principal ſecretaries of ſtate, it was preſented to the King by his Lordſhip, and received very graciouſly. It appeared in the gazette of May 28.

A petition and complaint of John Stevenſon and five more, elders of the pariſh of St Ninian's, and of William Glen of Plean, Eſq; and other heritors and pariſhioners of that pariſh,—againſt Mr Robert

Robert Finlay, miniſter at Dollar, for executing the ſentence of the aſſembly 1773, by admitting Mr Thomſon, "in a manner highly diſreſpectful to that ſupreme judicatory, moſt injurious to his brother Mr Thomſon, and very indecent and offenſive to the congregation then convened," was taken under the conſideration of the aſſembly on Saturday, May 21.— Theſe complainers ſet forth the facts as we have them already inſerted [xxxv. 614.]; and then ſay, "The impreſſion it [Mr Finlay's behaviour] made upon the minds of many of the members of that large and extenſive pariſh in which Mr Thomſon is now placed, has been hurtful to the intereſts of religion in that corner, has begot a contempt of the ſupreme judicatory of the church, and expoſed Mr Thomſon our miniſter to that contempt from many of his people, which could not fail to be the conſequence of ſuch treatment: for your petitioners can with truth aver, that, notwithſtanding all the pains taken to beget and continue an oppoſition to his ſettlement, that would in a great degree have ſubſided upon his admiſſion; inſomuch that had it not been for Mr Finlay's unwarrantable and cenſurable conduct, Mr Thomſon's congregation would at this day have been pretty full;"— and they conclude with praying the aſſembly, "to inquire into the behaviour and conduct of Mr Finlay at Mr Thomſon's admiſſion; and upon the facts being aſcertained, to cenſure his conduct in ſuch way and manner as to them ſhall ſeem meet; and, at any rate, to take ſuch ſteps for removing the prejudices againſt Mr Thomſon, occaſioned through Mr Finlay's conduct, as to them ſhall ſeem proper."—— On a motion made in the aſſembly, the ſentence of the preceding aſſembly, and the report of the commiſſion, were read: and it appearing, that the commiſſion had not ſummoned the members of the preſbytery of Stirling that were abſent from the admiſſion of Mr Thomſon at St Ninian's, to appear before this aſſembly, the commiſſion were called to the bar, and an excuſe which they offered was ſuſtained. The aſſembly then conſidered, whether or not they ſhould order theſe abſent members to be ſummoned to appear before them. After long reaſoning it was propoſed, that Mr Thomas Randal at Stirling, Mr John Duncan at Alva, and Mr William Nimmo at Bothkennar, whoſe names were not contained in the preſbytery's report of thoſe preſent at the admiſſion, ſhould be ſummoned to appear at the bar of the aſſembly on the Thurſday following. But this not being agreed to, a vote was put, Summon, or Not? and carried, Summon, 67 to 50: and the clerks were ordered to cauſe them to be duly ſummoned. Againſt which judgement Mr William Porteous at Glaſgow entered his diſſent; and next ſederunt fourteen miniſters and ſix ruling elders adhered to it.

On Monday, May 23. the prayer of the complaint againſt Mr Finlay was again read. An objection was moved as to the aſſembly's taking in this complaint; and Mr Bannatyne Macleod, as counſel for the complainers, was heard upon it. Some members argued, That the complaint did not come properly before the aſſembly; and that they could take no cogniſance of it, as it had never been before the preſbytery, where every cauſe againſt a miniſter ought to begin. It was, on the other hand, contended, That it was not a cauſe which could properly be brought before a preſbytery; for that Mr Finlay was, in the capacity in which he acted at Mr Thomſon's admiſſion, an officer of the general aſſembly, whoſe orders it was his duty to have obeyed, but which he had thrown the higheſt contempt upon, if what was ſet forth in the complaint was true. After long reaſoning, two motions were made: 1. "To ſerve Mr Finlay with the complaint, and ſummon him to appear before the aſſembly on the Friday following."—2. "That in reſpect of the report of the Rev. Preſbytery of Stirling, relating to the conduct of Mr Finlay in the ſettlement of Mr Thomſon, this cauſe ſhould be remitted to that preſbytery, to take a precognition of the facts laid to Mr Finlay's charge; and, if they ſee cauſe, to frame a libel upon them, and proſecute him according to the rules of the church; but in caſe they ſee no cauſe to proſecute Mr Finlay, that the preſbytery ſhall tranſmit the precognition to the next aſſembly." After further reaſoning, the aſſembly came to the following ſtate of a vote: "Serve, or Remit?" it being underſtood, that if it ſhould carry, Serve, Mr Finlay was to be ſerved with the complaint, and ſummoned to appear before the aſſembly on the Friday following, to anſwer to the ſame; and if it ſhould carry Remit, that the ſecond motion ſhould be adopted. The queſtion

queſtion being put, it carried Serve, 96 to 65; and Mr Finlay was ordered to be ſerved and ſummoned accordingly. Againſt this judgement Mr Charles Niſbet at Montroſe, entered his diſſents; and next ſederunt ſeventeen miniſters and ſix ruling elders adhered to it.

On Thurſday, May 26. Meſſ. Randal, Duncan, and Nimmo, the three miniſters of Stirling preſbytery ordered to be ſummoned to appear that day, were called; and the two firſt appeared. — The ſentence of the preceding aſſembly, appointing Mr Thomſon's ſettlement, was read: and a queſtion having been put to them, Whether they were preſent at Mr Thomſon's ſettlement, or Not? they anſwered, They were not. Being aſked, What they had to offer in excuſe for their abſence? Mr Randal declared to the following purpoſe: That tho' in general he acknowledged it his duty to behave as an obedient ſon of the church, yet in this particular caſe he had not freedom of mind to concur in executing the ſettlement of Mr Thomſon in conſiſtency with his principles, and with what he apprehended to be his ſuperior duty to God. At the ſame time he could declare, with truth, that ſome particulars in his private affairs would have rendered it extremely inconvenient for him to attend that admiſſion; and he doubted not, if it were proper to repreſent theſe particulars, every member would be ſatisfied they were a good defence: but he did not put his defence on that ground. Mr Duncan declared, That the circumſtances of his family were ſo diſtreſſing, and the diſtreſs was of ſuch a nature, that he could not poſſibly leave his own houſe on the day of Mr Thomſon's admiſſion; and were he to reſt his defence on this ground, he was perſuaded every member would ſuſtain it as abundantly ſufficient; but he muſt, as an honeſt man, declare, that after the moſt ſerious deliberation, he found himſelf obliged in conſcience not to concur in executing the ſettlement of Mr Thomſon. After conſidering the affair, a motion was made, To ſuſpend Meſſ. Randal and Duncan from acting in a judicative capacity for a year; and a ſecond motion was made, To diſmiſs them from the bar, with an admonition or rebuke. After long reaſoning, it was agreed to put the queſtion, Cenſure, or Not? and if it ſhould carry Cenſure, that then, the queſtion ſhould be put, Suſpend, or Rebuke? it being underſtood, that if it ſhould carry Suſpend, the ſuſpenſion ſhould be in terms of the firſt motion. The firſt queſtion having been put, it carried Cenſure, 100 to 69; and then the ſecond queſtion having been put, it carried Rebuke, 106 to 65. — Meſſ. Randal and Duncan were accordingly rebuked by the moderator.

The third miniſter, Mr Nimmo, did not appear; and the execution of ſummons bearing, that he was not ſummoned perſonally, the conſideration as to him was delayed till Monday, the laſt ſederunt. — He was again called on the 30th, and did not appear: but Dr Erſkine repreſented, that he had received a letter from Mr Nimmo, incloſing the ſurgeon's atteſtation of his being indiſpoſed at the time of Mr Thomſon's admiſſion; and acquainting Dr Erſkine, that he had not received the ſummons ordered to be ſerved on Meſſ. Randal, Duncan, and him, but had, when on a journey to Glaſgow about neceſſary buſineſs, obſerved in a news-paper, that they were ordered to be ſummoned; and that his buſineſs could not admit of his attending the aſſembly in perſon, and therefore had ſent to him the incloſed certificate; Dr Erſkine adding, that he knew not how to direct a letter for Mr Nimmo ſince Thurſday, he being on a journey. The ſurgeon's atteſtation was read, and Mr Nimmo's excuſe was ſuſtained.

On Friday, May 27. the aſſembly reſumed the conſideration of the complaint againſt Mr Finlay. Counſel appeared for the complainers, and Mr Finlay appeared himſelf. In anſwer to the complaint, he denied it as laid; and ſaid, he would avail himſelf of the privilege of every Britiſh ſubject, not to accuſe himſelf; and therefore pleaded Not guilty; but particularly declared, that he ſaid nothing on that occaſion diſreſpectful to the preceding aſſembly, or of the rulers of the church; and was ſorry that his words in the charge at St Ninian's had been ſo groſsly miſrepreſented as to give offence to any. The counſel for the complainers craved, that as Mr Finlay had reſted his defence on denying the complaint as laid, the aſſembly would appoint a ſtanding committee, to take the proof of facts, and alſo ſuch exculpatory proof as might be offered by Mr Finlay. But ſeveral members expreſſing doubts concerning the relevancy, competency, and expediency of the complaint, the counſel was heard upon theſe points.

points. After long reaſoning, a motion was made, To appoint a committee to inquire into the facts contained in the petition, and to report to the next aſſembly the reſult of their inquiry, and what appears to them adviſable for the aſſembly to do therein. It was moved by other members, To remit the whole affair to the preſbytery of Stirling. After further reaſoning, the aſſembly agreed to the firſt motion, and appointed a committee, viz. the Moderator, Mr Adam Ferguſon, Dr John Dryſdale, Princ. Robertſon, Mr James Lindſay, Mr William Porteous, Dr Hugh Blair, Mr John Kemp, Prof. Gerard, Dr George Withart, Mr Charles Nisbet, Mr John Cheeſly, Mr Alexander Colvill of Ormiſton, and Prof. Wight, miniſters, Lord Alva, Mr Solicitor Dundas, Mr Andrew Croſbie, Mr Alexander Ferguſſon, Mr John Buttaby, Mr Allan Macconochy, Mr Alexander Belſches, Bailie Forreſt, Mr Alexander Orr, and John Home, Eſq; ruling elders, any three of whom to be a quorum, the Moderator appointed convener, and the committee to meet for the firſt time on the Tueſday following, at nine o'clock, in the Society-hall, and afterwards when and where they ſhould think proper.

A petition of the donors for purchaſing and building the meeting-houſe, in Dunfermline, which was occupied by the deceaſed Mr Thomas Gilleſpie, was taken under conſideration on Saturday, May 28. — Mr Gilleſpie died on the 19th of January laſt; and it appears from a Caſe for the donors, that there was a meeting of the donors, Feb. 3. to conſider how to get the houſe ſupplied with a goſpel-miniſter, whether by the eſtabliſhed church, the preſbytery of Relief, or any other way. On putting the queſtion, 56 donors voted for the eſtabliſhed church; 4 voted for the preſbytery of Relief; and 19 refuſed to vote, but adhered to a proteſt taken by one Andrew Bowie, a weaver in Dunfermline, who was no donor, and conſequently had no title to proteſt, or interfere. It was therefore reſolved to put the houſe on the ſame footing with that of South Leith [xxxv. 607.]; and a petition for that purpoſe was preſented to the preſbytery of Dunfermline on the 30th of March. A repreſentation againſt the petition was given in by Andrew Bowie May 4. and ſeveral queſtions were put to the donors, as to what was the intention of their application. On the queſtion put, Reject the petition; or, Refer it to the general aſſembly? it carried, by a great majority, Reject. The donors appealed to the aſſembly. — Some reflections having been thrown out in the preſbytery with reſpect to the principles and character of the late Mr Thomas Gilleſpie, the following facts are ſet forth in the Caſe for the donors.

"Mr Gilleſpie was, from his earlieſt years, educated a Preſbyterian; and after having attended the ſeveral claſſes in the college of Edinburgh, he likewiſe ſtudied at the divinity-hall there for ſome years. It is indeed true he went to Perth to Mr Wilſon, who was then profeſſor of divinity to the Aſſociate miniſters, or Seceders: but it is alſo true, that ſo ſoon as he converſed with him, and underſtood on what plan of principles they were going, he, within ten days after his going to Perth, immediately withdrew, and never returned; nor did he ever attach himſelf to any ſeparate communion. Nor took he any further ſtep towards being a preacher or miniſter till he went up to England in 1740; before which period he had been examined upon all the different parts of learning and divinity by ſeveral miniſters in and about Edinburgh, and his credentials from them in a moſt ample manner are ſtill extant. In England he was, after the uſual trials, regularly licenſed and ordained in a claſs of diſſenting clergy, that eminent divine Dr Doddridge of Northampton being moderator.

In the ſpring or ſummer following he came to Scotland, and got a regular call to the pariſh of Carnock; which he accepted, and produced the above deed of ordination to the preſbytery of Dunfermline. Before he was admitted, he ſubſcribed the Formula and Confeſſion of Faith, with a ſingle explanation reſpecting the power of the magiſtrate. In no other inſtance did he deviate in the leaſt from the whole forms of the church. Nothing need be ſaid with regard to his miniſterial character whilſt at Carnock, but that he ſtrictly adhered to the doctrines and worſhip of the church of Scotland, and likewiſe maintained miniſterial and Chriſtian communion with his brethren during his miniſtry there.

When an act of depoſition was paſſed againſt him by the aſſembly 1752, for refuſing to aſſiſt in the ſettlement of Mr Richardſon to be miniſter in Inverkeithing,

ing, the manner in which he behaved when he received that ſentence, conciliated a reverence of his character from his depoſers themſelves, however much they differed from him in opinion. They ſaw conſcientious firmneſs united with truly Chriſtian meekneſs.

He obeyed that ſentence ſo far as he thought it was binding upon him: for he never more preached in the church of Carnock, nor had any more concern in the emoluments thereof, but peaceably withdrew, and preached in the fields for ſome months, without ever throwing out any reflection on the conduct of the church.

In the beginning of the following winter, he went every Lord's day and preached in the meeting-houſe that was provided for him at Dunfermline, to ſuch as attended his miniſtry there; but neither conſtituted a ſeſſion, nor erected any congregation, till after May 1753, waiting patiently the event of that aſſembly: but not being reſtored to the church and pariſh of Carnock, he then conſtituted a ſeſſion and congregation.

It cannot be denied, but that the motive for which the people who ſubjected themſelves to his miniſtry, was pure regard to him, and upon the account of his ſufferings, and not from any diviſive principles; and that many of them continued to join occaſionally in communion with the church: and as a proof that he was of no diviſive principles from the church of Scotland, he invited ſeveral of the miniſters to aſſiſt him at his firſt communion at Dunfermline, and for ſeveral years continued to write letters to them for their aſſiſtance; and when he was no longer favoured with it, although he might have got aſſiſtance from diſſenting miniſters in England, he choſe rather to take the whole of the communion-work upon himſelf, which he did no leſs than thirteen times alone; and every one of thoſe times, which was within about five years, he preached no leſs than nine ſermons, and ſerved ſeven or eight tables, beſides all his other private work at that time. During the courſe of his miniſtry at Dunfermline, he admitted perſons to the ſacrament, on producing lines from miniſters of the church of Scotland, refuſing none who brought lines from any of their miniſters; and as freely gave lines to any of his hearers who wanted to join occaſionally in the church of Scotland.

The ſtep he at laſt took in taking aſſiſtance, will appear to have flowed from pure neceſſity, as, perhaps, not one man has gone through as much miniſterial work in ſo ſhort a time, in a century. And to ſhew that he ſtill retained an affection to the church of Scotland, -- towards the cloſe of life he was for his people uniting in connection with that church, as thoſe in Leith, and the Relief congregation now in Glaſgow, have done [222.]: and indeed he was the more ready to adviſe that, as he knew the moſt ſolid part of his people was always of thoſe ſentiments."

In the aſſembly counſel was heard for the donors, and ſome members of the preſbytery were heard on the other ſide. After long reaſoning, a motion was made, That in reſpect this cauſe comes before the aſſembly in a crude manner, neither the terms of the original application being ſufficiently clear, nor the facts relative thereto ſufficiently underſtood and explained, therefore diſmiſs the proceedings of the preſbytery of Dunfermline in this affair; reſerving to the appellants, and thoſe that may join with them, to give in a more explicit application to the preſbytery; and remit to the preſbytery to take the ſame under their conſideration, and to do therein as they may ſee cauſe; and that the aſſembly ſhould recommend to the preſbytery to conſider with attention the whole circumſtances of the caſe before they proceed to a determination. Which motion being conſidered, was approved of without a vote.

There were three ſettlements.

1. A petition of Douglas Duke of Hamilton and Brandon patron, and the callers of Mr James Meek at Leſmahagow to be miniſter of Cambuſlang, was taken in on Tueſday, May 24. Notwithſtanding the ſentence of the preceding aſſembly [xxxv. 272.], it carried, in the preyſbtery, July 21. 1773, Not to tranſport; and the ſynod, on an appeal, referred the matter to the aſſembly.—After reaſoning, a vote was put, Affirm, or Reverſe, the ſentence of the preſbytery of Lanerk? it being underſtood, that if it ſhould carry Reverſe, the tranſportation was to take place. It carried Reverſe, 94 to 58. Againſt which judgement Mr William Porteous, and Mr Walter Gibſon, entered their diſſent; and next day twelve miniſters and five ruling elders adhered to it.

2. On a petition of Charles Duke of

Queenſberry and Dover, patron, and the callers of Mr William Grierſon, miniſter of the Scots congregation at Amſterdam, to be miniſter of Glencairn, the aſſembly, May 25. without a vote, ſuſtained the call, and appointed the preſbytery of Penpont to admit Mr Grierſon with all convenient ſpeed, according to the rules of the church.

3. Elgin. —— There have been but few inſtances of an oppoſition ſuſtained, and a final ſentence in a diſputed ſettlement obtained, ſo ſpeedily as in this caſe. —— Mr William Peterkin, who was aſſiſtant to Mr Lauchlan Shaw, one of the miniſters of Elgin, obtained from the crown, by the intereſt of the Earl Fife, a preſentation to Mr Shaw's charge, that Rev. Gentleman having reſigned on account of his advanced age. Mr Shaw's demiſſion was given in to the preſbytery April 5. 1774; — Mr Peterkin's preſentation was dated at St James's April 14. and ſealed at Edinburgh April 23.; — an application was made, April 27. to the ſynod of Moray, then met at Forres, repreſenting, That as Mr Peterkin expected the preſentation in his favour by the Thurſday or Saturday's poſt, and it was wiſhed the edict might be ſerved the Sunday following, the preſbytery might have leave to meet in the intervals of ſynod, in order to appoint an adjournment till Saturday; — which was granted, and the preſbytery met and adjourned accordingly; — the preſentation and the letter of acceptance were given in to the preſbytery April 30.; — the edict was ſerved on Sunday May 1. and intimation was made, that the preſbytery would meet on the 12th for the moderation of a call to Mr Peterkin; — at the moderation, 40 heritors (including the Earl Fife and the Hon. George Duff of Milltown, who poſſeſs almoſt two thirds of the whole parith), 2 elders, and 243 heads of families, in all 285, concurred with the preſentation; and in oppoſition to it four letters were produced by a writer, one from 11 heritors, another from 7 members of the town-council *pro forma*, a third from 2 heritors, and the fourth ſigned by 7 elders, and Mr David Rentoul, the ſecond miniſter, in all 31; in which letters no reaſon was urged againſt the ſettlement, the oppoſers of it expreſſing themſelves in theſe words, "We retain our concurrence with the ſettlement of Mr Peterkin as miniſter of this place;" and objections were made againſt certain perſons who ſigned Mr Peterkin's call; —the preſbytery "unanimouſly agreed to refer the whole affair *ſimpliciter* to the enſuing aſſembly for their determination; in regard that though the preſbytery had no difficulty in finding the concurrence ſufficient, yet objections were made, from which occaſion might be taken to protract the ſettlement by unneceſſary appeals;" — and the final ſentence, as we ſhall ſee anon, was pronounced on the 30th of May.

The preceding facts are taken from the two Caſes: from which we give an extract or two more. — In that for thoſe who concur with the preſentation it is ſaid, "It is believed that Mr David Rentoul was the ſingle perſon in oppoſition who was really in earneſt about the matter: for being of opinion, that his promotion to the ſecond charge of Elgin was ſtill inadequate to his merit, he could not but diſſent from a call to Mr Peterkin to the higher charge of firſt miniſter." — In that for the oppoſition it is ſaid, that the people had reaſon to believe Mr Peterkin's appointment to have taken place merely through the influence of the politics in which Lord Fife was at that time engaged. After blaming the preſbytery for precipitation, in not inquiring into the grounds of the oppoſition, or hearing the reaſons upon which it was founded, and at once remitting the cauſe to the aſſembly, they ſay, "By this extraordinary and precipitate ſtep, the oppoſers of the ſettlement ſtand in a very particular and diſagreeable ſituation: They have been hurried to the bar of the Venerable Aſſembly, without either time or opportunity to make the proper objections they are able to offer to the ſettlement of the preſentee, and they muſt have in the eyes of the Venerable Court the misfortune of being looked upon as perſons who have formed an oppoſition without any reaſon for ſo doing:" and they "humbly move the Venerable Court, to remit the cauſe back to the preſbytery, to receive objections upon the part of the oppoſers; the moſt material of which are the two following, which they undertake to prove: 1. They intend to offer relevant objections, not only to the preſentee's method of preaching, but to his doctrines themſelves; 2. They undertake to prove, that Mr Shaw's reſignation was brought about by a ſimoniacal

cal paction, in reſpect that the preſentee became bound in a valuable conſideration, in order to obtain the reſignation upon which his preſentation was granted."—The preſbytery, in the Reference, firſt give a ſhort ſtate of the caſe, and then their reaſons for the reference: "Had the preſbytery (ſay they) conſidered themſelves at liberty to regard merely the merits of the cauſe, they would have found no difficulty in proceeding agreeably to the ordinary forms of the church, in ordaining Mr Peterkin; as, upon the foot even of a popular call, and independently of his Majeſty's preſentation, a majority of the Chriſtian ſociety, and which it appeared evident to the preſbytery might have been greatly increaſed, had time, or the throng, permitted many to ſubſcribe who ſignified their inclination, beſides a conſiderable majority of the heritors, appeared for Mr Peterkin; and this, if the objections given in had been ſuſtained. But this was far from being the caſe. The preſbytery were at liberty; they had every probable reaſon,—from the ſpirit of a few leaders on the other ſide;—from the oppoſition that had been early formed, and artfully increaſed and ſtrengthened;—eſpecially from Mr Rentoul declining to hear Mr Peterkin while Mr Shaw's aſſiſtant; nay, at the very time of his diet, and during public worſhip in the ordinary church, preaching to thoſe who were diſpoſed to attend him. From all theſe, and the whole conduct of the opponents, they ſaw that their purpoſe was, if the preſbytery had formally repelled their objections, and given a ſentence appointing the ſettlement of the preſentee, to have appealed to the next ſynod; which would have neceſſarily poſtponed the final deciſion of the ſettlement to Aſſembly 1775, and thus have occaſioned a vacancy, that would have not only thrown a heavy load upon the preſbytery, but have proved highly injurious to the preſentee, and to the intereſt of religion in that large and populous pariſh, and at the ſame time given opportunity of fomenting a party-ſpirit, and increaſing diviſions among the people."

The aſſembly took up this cauſe on Monday May 30. the laſt ſederunt. Counſel having been heard for the patron and callers of the preſentee, and for the oppoſers of the preſentee, the aſſembly, without a vote, ſuſtained the call, and appointed the preſbytery to proceed to the preſentee's admiſſion with all convenient ſpeed, according to the rules of the church.

An overture from the preſbytery of Edinburgh, dated March 30. 1774, viz. "Whereas it is a matter of the greateſt importance to the intereſts of religion, to prevent perſons not duly qualified, from becoming preachers or miniſters of the goſpel; and as it has often been complained of, that perſons not qualified according to the acts of the church, have retired out of its bounds, to places where they were not well known, and have obtained licence to preach, or been ordained miniſters of the goſpel; therefore the preſbytery of Edinburgh overture to the general aſſembly to prohibit all perſons educated or reſiding within the bounds of the church, from going out of its bounds, to obtain licences to preach; and to prohibit all preachers licenſed by this church, from going without its bounds, to obtain ordination, unleſs they are called to a particular congregation in another country; and to enact, that licences obtained in that manner ſhall not be received or have any effect in this church; and that ſuch preachers as contravene this act, ſhall forfeit the licence formerly given them, and be no longer intitled to the privileges which belong to a preacher of the goſpel in this church," was read on the 21ſt; next ſederunt, after reading the overture in dependence on that ſubject [xxxiv. 270. xxxv. 274.], the aſſembly remitted that from the preſbytery of Edinburgh to the committee for overtures, injoining them particularly to attend to the addition reſpecting ordinations; and on the 25th, on report of this committee, it was ordered to be tranſmitted to preſbyteries, their opinions of it to be returned to next aſſembly.

By a report of a committee the returns from preſbyteries to overtures tranſmitted ſtand thus.

Concerning members of inferior courts judging in cauſes appealed from them [xv. 579.],—from the firſt tranſmiſſion of it in the year 1753, till now, taking in the returns ſent to this aſſembly, there are 37 preſbyteries agreeing to it; that is, deducing from the number of preſbyteries who in the courſe of that time agreed to it, thoſe who in their laſt opinion have diſapproved of it, there remains the above number agreeing.

Concerning the age of elders, &c. [xxxii.

342.] — 38 preſbyteries have ſent reports this year and formerly, whereof 28 agree to the overture.

Concerning probationers being licenſed without the bounds of this church [xxxiv. 270.], — only 21 preſbyteries have ſent returns this year and formerly, whereof 18 agree to it.

On report of the committee for overtures the aſſembly agreed, May 26. that the overture concerning the age of ruling elders ſhould be tranſmitted to preſbyteries; and that the overture concerning probationers being licenſed without the bounds of the church, formerly tranſmitted, ſhould be diſmiſſed, in regard the aſſembly had already tranſmitted the overture [on that ſubject] from the preſbytery of Edinburgh.

An overture was given in to the aſſembly on the 25th, and next day read. It ſet forth, That the eſtabliſhment of parochial ſchools hath been found very uſeful for the right inſtruction of children and others in the principles of civil liberty, and of the true, Proteſtant, Reformed religion, and hath accordingly been injoined by ſeveral acts of parliament, particularly by act 26. ſeſſ. 6. Will. *anno* 1696; that the general aſſembly, by act 6. 1758, appointed all preſbyteries to uſe the legal methods for having ſchools eſtabliſhed in every pariſh within their reſpective bounds; and that, notwithſtanding, there are many pariſhes, particularly in the highlands and iſlands, where ignorance and Popery greatly prevail, which have no parochial ſchools; therefore overtured to renew the foreſaid act 6. 1758. The aſſembly having caused this act [xx. 269.] to be read, diſmiſſed the overture; but injoined preſbyteries to give all poſſible attention to carry the act 6. aſſ. 1758 into execution, and to report their diligence to the next aſſembly.

A petition of the ſociety in Scotland for propagating Chriſtian knowledge was preſented on the 25th, and a committee was appointed to conſider it, and report on Saturday. The petition ſet forth, That the ſociety have been enabled to maintain a conſiderable number of ſchools, at which are annually educated between 7000 and 8000 children; that the ſalaries of many of their ſchoolmaſters are very inconſiderable; that they have been obliged to ſuppreſs many ſchools, though highly uſeful; that there are ſtill many pariſhes the ſituation of which calls loudly for the aid of the ſociety; and that the preſent ſtate of their funds is ſuch as renders it impoſſible for them, either to augment the ſalaries of the ſchoolmaſters, or to enlarge the number of their ſchools; referring for particulars to the printed account of the ſociety [207.]; they therefore pray the aſſembly to appoint a collection to be made through all the pariſhes in Scotland, the money ariſing from it to be applied ſolely to the erecting of ſchools, and better endowment of ſchoolmaſters, in the highlands and iſlands of Scotland. On report of the committee, May 28. the prayer of the petition was granted; and a committee was appointed to draw an act to that effect. A draught of the act was preſented on the 30th, and approved of. The collection is to be made on any Sunday the reſpective preſbyteries ſhall appoint before February 1775.

On the 28th the report of a committee appointed to conſider the ſtate of Popery in the highlands and iſlands of Scotland was read, and approved of; the committee was continued; Meſſ. Nicl Ferguſon and Allan Macconochie were added to it; and it was recommended to the committee to give particular attention to the ſtate of the pariſh of Lochbroom. — The report ſet forth, That in conſequence of the addreſs preſented to the King by order of the aſſembly 1765 [xxvii. 273.], the Lords of the Treaſury, Oct. 1. 1765, remitted to the board of annexed eſtates to report, whether, by the ſtatute 25° Geo. II. [xiv. 161.] ſufficient remedies were provided for the evils complained of; that the annexed-eſtates board, Dec. 14. 1765, reported, that inſufficient remedies for the evils complained of were provided by that ſtatute; and propoſed, that four new pariſhes ſhould be erected, viz. one in the pariſh of Lochbroom, two in the pariſh of Ardnamurchan, and one in Strathgartney, in the pariſh of Callender; that his Majeſty was graciouſly pleaſed, Feb. 28. 1766, to approve of the propoſal; that for carrying this propoſal into execution, a memorial was preſented by the committee to the annexed-eſtates board; in conſequence of which a letter was received from their ſecretary, dated July 28. 1773, deſiring to know which of the pariſhes above mentioned ought to have the preference, and be firſt undertaken; that the committee gave it as their opinion, that the circumſtances of thoſe countries which

which compoſe the preſent pariſh of Ardnamurchan are ſuch as render the erection of a new pariſh there abſolutely neceſſary, expreſſing their hopes that the board would be pleaſed to make this erection in the moſt ſpeedy and effectual manner; that, in conſequence, the board reſolved, that 420l. Sterling ſhould be included in this year's plan of expenditures, for building the church and manſe, and ordered their agent to conſider, and report, the proper method of carrying the ſaid new erection into execution; that the money is accordingly ſet apart; and that there ſeems to be ground to hope, that the erection of new pariſhes, in which the intereſt of religion in the highlands and iſlands of Scotland is materially concerned, will ere long be in ſome degree accompliſhed.

On the 24th of May was given in to the aſſembly, a repreſentation of the truſtees for managing the widows fund, containing alterations propoſed to be made in the acts eſtabliſhing a proviſion for the widows and children of contributors to that fund; and it was referred to the conſideration of a committee, with whom it was recommended to the truſtees and the collector to meet; the report to be given in on the Saturday following.—— The report was accordingly given in on the 28th; and on the 30th, copies of the repreſentation, and of the proceedings of the aſſembly upon it, were ordered to be tranſmitted to preſbyteries and univerſities, for the conſideration of all the contributors within their reſpective bounds, who are required to ſignify their opinions to the truſtees relative thereto on or before the 22d of November next; on failure of which they are to be held as acquieſcing in the propoſed alterations. Preſbyteries in the iſlands may tranſmit their opinions at any time before the 21ſt of February 1775.

The aſſembly, May 27. continued the window-tax committee, with the ſame powers as formerly.

A report of the committee [xxxv. 269.] for the better order of the aſſembly-houſe was read on the 23d; and next ſederunt, after having been conſidered, was adopted; the committee was continued; and the clerks were impowered to name the aſſembly-beadles upon any vacancy in time coming, and to diſmiſs them if they find juſt cauſe.—The report bears, That the committee have nearly completed the propoſed alterations on the houſe; that they have provided gowns for the moderator, the procurator, and the clerks, and cauſed two plates to be engraved for caſting off tickets for members and viſitors; that they have ſome further improvements in view, and that it were proper the timber work were painted, and the roof cleaned and white-waſhed, the expence of which is eſtimated at near 40l.;—and they overture, that the aſſembly would enact, That the doors of the houſe ſhould be always kept ſhut, and no perſon allowed to come in or go out, during the time of prayer*; and that application be made to the Lord Provoſt of Edinburgh for a guard to ſtand at the outer doors of the church, to prevent boys, &c. being admitted, who by making noiſe in the church, prevent hearing of the debates in the aſſembly.

On the 30th, the laſt ſederunt, reaſons of diſſent from three judgements of this aſſembly, relating to the three miniſters of Stirling preſbytery who were abſent at Mr Thomſon's admiſſion, to Mr Finlay, and to the tranſportation of Mr Meek from Lesmahagow to Cambuſlang, were given in, read, and ordered to be kept *in retentis*.

All cauſes brought before the aſſembly, and before the laſt commiſſion, and not diſcuſſed, were referred to the commiſſion appointed by this aſſembly, with power to them to judge and finally determine therein.

The next aſſembly was appointed to be held in the Aſſembly-houſe, at Edinburgh, on Thurſday, the 25th of May 1775.

* [A correſpondent applands this overture highly, and rejoices to find a regulation begun in the general aſſembly of the church of Scotland, which he wiſhes to ſee extended to every place of public worſhip. He thinks, that a church door ſhould be ſhut two or three minutes before worſhip begin, to give the worſhippers a little time for preparation, by ſilent recollection, meditation, and ejaculations; and that perſons who arrive after the door is ſhut, ſhould wait in the porch till the pſalms and prayer be over, there being much leſs harm in diſturbing a congregation when hearing a lecture or ſermon, than when joining together in prayer, or ſinging of pſalms. A well-bred lady or gentleman, ſays he, would not intrude into the company of their ſuperiors, or indeed into any polite company, after they were ſat down to dinner; how much more indecent is it for perſons to thruſt themſelves into an aſſembly while employed in the worſhip of God?]

MAR-

MARRIAGES.

May 8. At London, the Hon. Colonel Harvey, of the 3d regiment of foot-guards, to the daughter of William Beckford, Efq; who died in 1770, while he was Lord Mayor of London.

21. At London, the Earl of Clanbraffil, to Miſs Foley, eldeſt daughter of Thomas Foley, Eſq; one of the members for Hereford.

P. S. June 2. At London, Lord Viſcount Hereford, to the Hon. Miſs Henrietta Charlotte Tracy, late one of the maids of honour to the Queen.

BIRTHS.

May 15. Mrs Blair, (who is now in her fiftieth year), wife of Robert Blair baker at Kefwick, of a ſon, being her twenty-firſt child.

20. At Edinburgh, Mrs Boſwell, wife of James Boſwell, Eſq; Advocate, of a daughter.

25. At Edinburgh, Mrs Stewart of Binny, of a daughter.

DEATHS.

Nov. 16 1773. At Canton, in China, John Bradley Blake, Eſq; a reſident ſupercargo, and of the third rank in council, at that place, ſon of John Blake, Eſq; of London: A diligent and ſucceſsful inquirer into nature. He formed a plan to procure the ſeeds of all trees, ſhrubs, roots, flowers, &c. which the great empire of China produces, and are uſed in medicine, dying, manufactures, and food, or yield oils, or any article for promoting commerce, and to forward ſeeds, plants, &c. to Europe, in order to be propagated in Britain, or in our American colonies, as might beſt ſuit the different latitudes. Not confining his inquiries to the extenſive empire of China, he eſtabliſhed an intercourſe with Japan and Cochin China. His rice from the hills and uplands of Cochin China has already been propagated in Jamaica, Dominica, and South Carolina; the tallow-tree, from ſeeds ſent by him, flouriſhes not only in Carolina, but in Jamaica, and others of our colonies; and in Carolina they have got from Mr Blake the father, ſent him by his ſon, two ſorts of China indigo, the one of a deep, the other of a ſky blue; the lacquer-tree, the oil-tree, uſed to mix up the lacquer for cabinets; the alcea, deſcribed in Kempfer's hiſtory of Japan, which is an article of vegetable food; and many other ſeeds from Peking, and other more northerly provinces of China, and particularly ſeveral from the Corea, a country between China and Tartary, above 300 leagues from Canton. All the above-mentioned plants, and a variety of other ſeeds ſent by Mr Blake, are now flouriſhing in the King's garden at Kew, and in the gardens of ſeveral gentlemen in England. — The death of ſuch a man, in the prime of life, of a life devoted to promote the good of mankind, muſt be univerſally regretted.

Jan. 19. 1774. At Dunfermline, Mr Thomas Gilleſpie, miniſter of a meeting-houſe built for him in Dunfermline after he was depoſed by the aſſembly 1752 [xv. 253. xxxvi. 272]. *Formerly omitted by inadvertency.*

March 3. At Boſton, New England, aged 68, Andrew Oliver, Eſq; Lieutenant-Governor of that province. [xxxv. 520]

April 18. At Genoa, of an apoplexy, M. Rudolfe, Doge of that republic.

"*Peterſburg, May* 6. On Wedneſday laſt, this court received the very diſagreeable account of the death of Gen. Bibikow. Lt Gen. Prince Michelbatow is named to ſucceed him in the command of the troops againſt the rebels." *Lond. gaz.*

May 4. At London, Maj.-Gen. Worge. He was colonel of a regiment in the late war, and commanded the expedition to Senegal, which he took, and was afterwards governor of.

5. At Edinburgh, Lady Henrietta Campbell, mother of Daniel Campbell of Shawfield, Eſq;

6. At his houſe in Parklane, John Ward, Viſcount Dudley and Ward, Lord Warden of Birmingham, and Recorder of Worceſter. His Lordſhip was born in March 1704, ſucceeded his father William as Lord Ward in May 1740, was created Viſcount Dudley and Ward of Dudley in April 1763, and is ſucceeded by his ſon John, who was born in 1724.

7. At his houſe in Roſsſhire, John Mackenzie, Eſq; of Applecroſs.

8. At Edinburgh, Jean Baird, widow of James Bruce of Powfouls, Eſq;

9. At Aix in Provence, Lady Ryder, relict of Sir Dudley Ryder, late Chief Juſtice of the court of King's-bench.

10. At Verſailles, of the ſmall pox, His Moſt Chriſtian Majeſty, Lewis XV. King of France and Navarre, in the 64th year of his age, and 59th of his reign [225]. His Majeſty is ſucceeded by his grandſon, now Lewis XVI.

11. At London, Mrs Calderwood of Polton.

11. At Edinburgh, Mrs Janet Douglas, relict of Thomas Spence of Lathallan.

11. At Ratby Caſtle, in the biſhoprick of Durham, William Fitzroy, Duke of Cleveland and Southampton, Earl of Chicheſter, comptroller of the ſeal or green-wax office, receiver and comptroller of the profits of the ſeals in the courts of king's-bench and common pleas. His Grace was born in 1697-8; and in 1730 he ſucceeded his father Charles, eldeſt natural ſon of K. Charles II. by the Lady Barbara Villiers, daughter of Viſcount Grandiſon, one of the moſt celebrated beau-

ties

ties of that monarch's court, who roſe ſo high in the King's favour, that he created her Ducheſs of Cleveland after the birth of the child, who was born in 1662. His Grace married, in 1731, Lady Henrietta Finch, daughter to the late Earl of Winchelſea and Nottingham, who died in 1742, leaving no iſſue. The title, with 8000l per annum, which is entailed on the title, comes to the Duke of Grafton, who now takes the title of Duke of Cleveland.

12. At Dumfries, Mr Alexander Gordon of Crogo, writer in Edinburgh.

13. At Reſtalrig, near Edinburgh, Mr Archibald Hart merchant in Edinburgh.

14. At Aberdeen, Mrs Anne Gordon, ſpouſe to John Gordon, Eſq; of Craig.

15. At Edinburgh, Mrs Helen Somerville, relict of James Geddes of Rachan, Eſq; advocate.

18. At Edinburgh, Mrs Helen Riddell, relict of Robert Carre of Cavers, Eſq;

20. At Holm, Mr Hugh Sutherland, miniſter at Birſay and Harra.

At Fettereſſo, Peter Leſlie Grant, Eſq; of Balquhain; which eſtate was decreed, about a dozen years ago, to belong to him as Proteſtant heir, after a keen litigation againſt him by Antonius and Charles Cajetan Leſlies, German Counts, againſt whom he pleaded their being Papiſts and aliens. He died a bachelor.

At Hagley, in Worceſterſhire, aged 125, Mr John Tice. He was born in 1649, in the protectorſhip of Oliver Cromwell. A younger brother of his, William Tice, died about twenty years ago, at the age of 102, at Kidderminſter, in Worceſterſhire. Both of theſe brothers retained every faculty to the laſt, except John, who had the misfortune, about forty years ago, to have both his legs broke by a tree falling on him; and a violent cold that ſettled in his head rendered him very deaf. About three years ago, ſitting by his fire-ſide alone, he was ſeized with a fainting fit, fell into the fire, and, being a cripple, could not help himſelf out again; but a perſon providentially coming into the room ſaved him, otherwiſe he muſt have periſhed; and though he was terribly burnt by this misfortune, yet with proper care in a ſhort time he recovered, and went his walks into the fields as uſual. But the greateſt misfortune that could befal him, and which he could not long ſurvive, was the death of his only friend, Lord Lyttelton; after which period he never left his room till his death.

At Hodgſon, in Hertfordſhire, Peter Frampton, Eſq; aged 107. He has a ſon now living, aged 84.

24. At Edinburgh, Lady Frances Gardiner, widow of Colonel James Gardiner, and daughter of David Earl of Buchan.

24. At Fort Auguſtus, the lady of Alexander Traupaud, Eſq; governor of that garriſon.

25. At Brampton, in the county of Cumberland, the lady of Sir John Fielding, Kt.

28. At Monkton manſe, Mr Cuningham, miniſter of that pariſh.

31. At Edinburgh, Mrs Eliſabeth Græme, daughter of the deceaſed James Græme, Eſq; of Newtown.

London, May 30. On Tueſday *died, as was ſuppoſed*, Mr Adam Garley, coal-merchant, near Rotherhithe; and on Thurſday he was put in a coffin for interment as Friday laſt: but on Thurſday night, to the aſtoniſhment of the whole family, he came down ſtairs in his ſhroud while they were at ſupper, having only been in a trance. As ſoon as his ſurpriſe was over, they put him into a warm bed, gave him ſome comfortable things, and he is now in a fair way of doing well.

PREFERMENTS.

From the London Gazette.

The King has been pleaſed,

May 3. to grant the dignity of a Baronet of Great Britain to the following gentlemen, viz.

Richard Clayton, of Adſington, in the county-palatine of Lancaſter, Eſq; and, in default of iſſue male, to the heirs-male of John Clayton, Eſq; his late father, deceaſed, and their heirs-male;

Archibald Edmonſtone, of Duntreath, in the county of Stirling, North Britain, Eſq;

Walden Hanmer, of Hanmer, in the county of Flint, Eſq;

Richard Symons, of the Meend, in the county of Hereford, Eſq;

William Lemon, of Carclew, in the county of Cornwall, Eſq;

Francis Blake, of Twiſel-caſtle, in the county-palatine of Durham, Eſq;

Martin Folkes, of Hillington-hall, in the county of Norfolk, Eſq;

William Jones, of Ramſbury Manor, in the county of Wilts, Eſq;

William Montgomery, of Machiehill, in the ſhire of Tweedale, North Britain, Eſq;

Philip Gibbes, of Spring-head, in the iſland of Barbadoes, Eſq;

Charles Raymond, of Valentine-houſe, in the county of Eſſex, Eſq; and, in default of iſſue-male, to William Burrell, of Beckenham, in the county of Kent, Eſq; and his heirs-male, by Sophia his wife, daughter of the ſaid Charles Raymond; and

John Smith, of Sydling Saint Nicholas, in the county of Dorſet, Eſq;

Sir Stanier Porten, Kt. conſtituted Keeper and Regiſter of his Majeſty's Papers and Records for the buſineſs of ſtate eſtabliſhed at his Majeſty's palace of Whitehall, in the room of Andrew Stone, Eſq; deceaſed, took the oaths in council, *May* 11.

2 L 2

14. to appoint William Burton, John Wyndham Bowyer, David Papillon, George Lewis Scott, Thomas Bowlby, George Quarme, Anthony Lucas, and William Lowndes, Efqs, together with William Burrell, L L. D. to be Commiffioners of Excife in England.

20 to confer the honour of Knighthood, this day, upon John Silveſter, M D. of Hackney, in the county of Middleſex.

War-office, May 16. 1774.

1ſt troop of horſe grenadier guards: Adj. and Sub-Lieut John Robinſon is appointed to be Sub-Lieutenant, vice William Neſbitt; by purchaſe.

Ditto: Lieut. Thomas Stanton, of the 13th regiment of foot, to be Adjutant and Sub-Lieutenant, vice John Robinſon; by purchaſe.

6th reg. of dragoons: Lieut. William Gunn to be Captain of a troop, vice Richard Edwards; by purchaſe.

Ditto: Corn Naſſau Smith to be Lieutenant, vice William Gunn; by purchaſe.

Ditto: Horace Churchill, Gent. to be Cornet, vice Naſſau Smith; by purchaſe

16th reg of light dragoons: Chaplain John Clement Ives, of the 46th regiment of foot, to be Chaplain, vice John Halſted; by purchaſe.

4th reg of foot: Capt. James Ogilvie to be Major, vice James Boorder; by purchaſe.

Ditto: Lieut. Charles Cochrane, of the 7th regiment of foot, to be Captain, vice James Ogilvie; by purchaſe.

Ditto: George Boſcawen, Gent. to be Enſign, vice Henry Hyatt, preferred; by purchaſe.

7th reg. of foot: Enſ. John Campbell, of the 37th reg. of foot, to be Lieutenant, vice Charles Cochrane, preferred; by purchaſe.

12th reg. of foot: Thomas St Clair Abercromby, Clerk, to be Chaplain, vice John Taylor Lamb; deceaſed.

13th reg. of foot: Lieut. Walter Scott, to be Quartermaſter, vice Alexander Pemoſe Cuming; by purchaſe

14th reg. of foot: James Stair Lindſay, Gent. to be Enſign, vice Thomas Peliet Scrumpſhire, deceaſed.

16th reg. of foot: Lieut. Emanuel Barker, of the 35th regiment to be Captain, vice Richard Vincent; by purchaſe.

Ditto: Capt. Fitz Maurice Connor to be Captain, vice Henry Dobſon, deceaſ'd.

Ditto: Lieut. William Barker to be Captain-Lieutenant, vice Fitz Maurice Connor.

Ditto: Enſ. William Grogan, to be Lieutenant, vice William Barker

Ditto: Enſ. William M'Dermott of the 47th regiment, to be Enſign, vice William Grogan.

26th reg. of foot: Lieut. Rowland Swan to be Captain, vice Thomas Browne; by purchaſe.

Ditto: Enſ. Robert Haſtings to be Lieutenant, vice Rowland Swan; by purchaſe.

Ditto: Joſeph Moland, Gent. to be Enſign, vice Robert Haſtings; by purchaſe.

29th reg. of foot: Lieut. David St Clair to be Captain Lieutenant, vice Samuel Cathrens; by purchaſe.

Ditto: Enſ. Charles Williams to be Lieutenant, vice David St Clair; by purchaſe.

48th reg. of foot: Enſ. Henry Hyatt, of the 4th regiment of foot, to be Lieutenant, vice George Finney; by purchaſe.

50th reg. of foot: Robert Connor, Gent. to be Enſign, vice Edward Williams, deceaſed.

51ſt reg. of foot: Capt. Robert Drummond, from halfpay, to be Captain, vice Macorne Rankine, who exchanges.

58th reg. of foot: Enſ. Albert Gledſtanes to be Lieutenant, vice Patrick Carter; by purchaſe.

Ditto: —— Innes, Gent. to be Enſign, vice Albert Gledſtanes, by purchaſe.

Lieut. Archibald Montagu Browne, of the 55th regiment, to be Fort Adjutant and Barrack-maſter at St Vincent, vice Alexander Fairbairne, deceaſed.

Prices of grain at Haddington, June 3. 1774.

	Beſt.	*Second.*	*Third.*
Wheat,	23 s. 6 d.	23 s. 0 d.	20 s. 6 d.
Bear,	19 s. 6 d.	18 s. 9 d.	17 s. 1 d.
Oats,	15 s. 0 d.	14 s. 6 d.	12 s. 2 d.
Peaſe,	13 s. 0 d.	12 s. 6 d.	11 s. 9 d.

Edinburgh, June 14. 1774. Oat meal, 1s. Bear-meal, 7 d. 2f. Peaſe-meal, 8 d.

The Edinburgh bill of burials for May 1774.

Within the city	Males 25	63	110. Dead. 9.	
	Fem. 38			
In the Weſt-kirk-yard	Males 25	49		
	Fem. 24			

Age.		No	Diseases.	No
Under	2	46	Aged ——	8
Between 2 &	5	14	Ague ——	1
5 &	10	8	Aſthma ——	1
10 &	20	7	Apoplexy ——	1
10 &	30	5	Bowelhive ——	4
30 &	40	5	Childbed ——	1
40 &	50	2	Chincough ——	6
50 &	60	6	Conſumption ——	29
60 &	70	8	Dropſy ——	1
70 &	80	3	Fever ——	25
80 &	90	6	Gravel ——	1
90 &	100	0	Meaſles ——	2
			Palſy ——	1
			Small pox ——	16
			Stillborn ——	4
			Suddenly ——	1
			Teething ——	8
			Water in head —	1